

# VARIETY

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128 PAGES

## LEADING FILM NAMES OF '33

### ABA Asks Gov't-Sponsored Vaude in 600 Dark U.S. Theatres Through NRA

U. S. Government-sponsored vaudeville stage shows for about 600 dark theatres between the two coasts are involved in an unemployment relief plan submitted to the Grover Whalen NRA Committee in New York by the Actors' Betterment association.

The government's part as suggested by the ABA through its executive secretary Ralph Whitehead, would be direct supervision and a subsidy to the extent of guaranteeing the actors, musicians and stage hands the minimum wages as provided for by their own NRA codes. Local civic co-operation would be sought, in return for the money put into circulation locally by members of the shows. Local stage crews and orchestras would be used, the ABA declares, although the shows would carry their own musical conductors.

3 and 1

As the ABA plan is outlined in brief, it calls for three eight-act vaudeville bills against one legitimate road show or musical every four weeks. Government would be asked to guarantee transportation as well as minimum salaries.

It's further suggested that if the nature of the routing made it possible, the traveling could be expedited by economical bus transportation. According to the ABA, the several bus companies already sounded out on rates have signified willingness to co-operate.

Because considerable time would be consumed between now and such a time as the vaudeville road show (Continued on page 84)

### COMMISSAR LITVINOFF PULLS A HARPO MARX

Moscow, Dec. 31. Commissar Litvinoff let some knives and forks fall from his sleeve in a gag takeoff on Harpo Marx when coming backstage at the Moscow Music Hall to congratulate the American comedian after his one night stand here.

Audience gave the silent member of the Four Marx Bros. a big ovation. Cream of the Soviet theatre and filmdom attended the performance, also other high officials besides the Commissar. Director Pudovkin in his introductory speech called Harpo of the world's greatest comedians.

After the show they gave Harpo a banquet. He left last night for Paris prior to returning home.

### POLICE CHIEF AN ACTOR

San Francisco, Dec. 31. Frisco's radio-performing police chief, William J. Quinn, is due for a return to NBC as a sustaining feature about Jan. 15, doing a series of talks on police work.

Last year he played himself in the leading dramatic re-enactments of important Frisco police cases, written by Carlton E. Morse.

### While You Ride

A new taxicab company is heralded as opposition to those offering radio entertainment enroute. The new cab firm proposes floor shows with midgets.

### GIRL STENOGRAPHS AS OLD GOLD JURY

Helping the excess of Lorillard, makers of the Old Gold brand, pick a successor to Fred Waring is a committee of 12 girls culled from the commercial's New York office staff. Boys sits in on all auditions and is delegated not only to pass judgment on the entertainment merit of each of the acts but to determine what possibilities the turns have of appealing to the younger element of listener.

With the candidate list still on the increase things are beginning to look confusing for the stenog advisory board. They're finding it tough regimenting their impressions and recalling what they liked particularly about each of the auditioned shows. So far the name responsible for bringing the hottest rise from the girls committee is Dick Powell. Following the Powell hearing piped from Hollywood to the CBS studios here two of the delegates gave vent to their gaseous reaction by urging the others to 'vote also for Dick.' Linked with the picture warbler in the audition from the coast was the Ted Flo Rita and.

Others given a hearing to date for the Old Gold spot which Waring exits Jan. 24 are Phil Spitalny with a child, and the Mills Bros. Ted Lewis and Buddy Rogers with Ruth Etting.

### Wash. Flood Doesn't Deter Theatres; Some Hold Relief Benefits

Tacoma, Dec. 31. Washington's northwest flood which inundated nearly every town in western part of state, with the loss of over \$10,000,000 caused only inconveniences and lack of heat in theatres. The shows went on even with water on the floor of some of the small houses in the little towns. Some theatres were used during the daytime for Red Cross headquarters.

Nearly every theatre in the west of the state held flood relief performances in conjunction with local organizations.

By Arthur Ungar

Hollywood, Dec. 31. Picture stars whose personal draw at the box office during 1933 meant something could be counted on less than 10 fingers, and if you want to be fussy—five will do.

The day of the star drawing over the picture seems to be going or has already gone. Audiences today want story and performance. In the day of the silents it was another matter. Stars were then always the outstanding element regardless of story. Two bad films in a row might slow them up a bit but it wasn't fatal. But in 1933 NRA, it's different.

Those stars who singly, or collectively, draw in good picture couldn't draw when they showed in a cluck.

This running of hot and cold and cold and hot didn't do any of them any good. The element during 1933 was story first and cast afterward. Switching from the players for a minute, the six leading boxoffice directors of the year figure as follows:

Mervyn LeRoy  
Wesley Ruggles  
Lloyd Bacon  
John Cromwell  
George Cukor  
Lowell Sherman

Above rating and directors are based upon the succeeding data, with the company designated after each name the one which the director is under contract:

LeRoy (WB) sets pace on the strength of 'Fugitive from Chain Gang,' 'Gold Diggers,' 'World Changes,' all for Warners, and 'Tugboat Annie' at Metro. Ruggles (Par) had 'Tin No Angel,' 'College Humor' and 'No Man of Her Own.' Lloyd Bacon (WB) handled '42nd Street,' 'Footlight Parade,' 'Elmer the Great' and 'You Said a Mouthful.' Cromwell (Radio) did 'Double Harness,' 'Anne Vickers,' 'Silver Cord' and 'Sweepings.' Cukor (M-G) did only two on the year but they were 'Little Women' at Radio and 'Dinner at Eight' at Metro. Sherman (Radio) turned out 'She Done Him Wrong' (Par) and 'Morning Glory' for his own lot and also had a couple of bad ones.

Other directors, who, on a box-office basis, came in the heading of what the football pickers classify as 'honorable mention,' would be Sam Wood (M-G) with 'The Barbarian,' 'Prosperity,' 'Hold Your Man' and 'Christopher Bean'; and John Stahl (U) on 'Back Street,' made late in '32 but released in '33.

From the coast stance, a studio consensus names these as the six best movie pictures of the year: 'She Done Him Wrong' (Par), 'Tugboat Annie' (MG), 'Goldiggers' (WB), '42d Street' (WB), 'Little Women' (Radio), 'State Fair' (Fox)

'Cavalcade,' also Fox, parried with that company's 'State Fair' in the U. S., although the Coward filmization eclipsed it in England. However, production costs is an element that must be considered.

### Bunching 'Em

Another practice which hurt the star aggregation was to use a galaxy of them in one picture. Metro did this with 'Dinner at Eight' on the heels of 'Grand Hotel,' (Continued on page 27)

### Bitter Sarcasm and Satire Used by KNX to Fight Radio-Press Pact

#### Mike Shea—NBC

In this 28th Anniversary number of VARIETY is included the 50th anniversary of Mike Shea and the 7th Anniversary of NBC.

### LARGEST MOTOR CIRCUS, MIX TO TOUR IT

Dallas, Dec. 31.

Tom Mix yesterday (Sat.) entered into a partnership with Sam B. Dill, head of the big Dill circus interests, whereby the screen and circus cowboy will combine Tony, his stables, his outfit of performing cowhands and equipment to star under the Dill big top for a period of years, beginning this coming season.

Mix at present is on the final stretch of six months appearance on tour in theatres with his 'Tom Mix Roundup,' comprising aerial Ward Sisters, performing cowboys and horses. He opened yesterday at the Paramount, Silverport.

New circus will be known as the Sam B. Dill three-ring circus, combined with Tom Mix Roundup, starring Tom Mix and Tony. Dill show comprises 30 motorized units, and Mix's fleet of trucks to be combined with them. Entire outfit undergoing redecoration. Dallas is winter quarters; Mix moving his organization here within the month. Show opening is set for Little Rock, about the middle of April, beginning a long season through north and east.

New big money is being expended to make the show one of most elaborate motorized units in the world. Living quarters plans distinct innovation; most elaborate yet.

### Rigors of Vermont

Barre, Vt., Dec. 31.

Local night clubs were refused the right to hold midnight parties on Christmas and New-Year's Eve. The Monte Carlo and Hollywood both had bookings made for floor shows and orchestras, but these had to be cancelled when city administration flatly refused to let night spots remain open after one a.m. This is the first year it has been clamped down here. Order did not bother theatres and they were permitted to hold midnight shows on New Year's Eve.

Hollywood, Dec. 31. Western independent radio stations are not accepting the proposed curtailment of news broadcasts. KNX, leading the fight for the western stations, devoted 15 minutes Dec. 28 to an air editorial in which the proposed censorship board on news was satirized. Broadcast was relayed by several other coast stations.

Program opened with the playing of 'Rule Britannia,' with an announcer explaining that this was symbolic as the broadcast was to show the public that it was the newspapers hereafter that are to rule the waves—air waves.

Editorial reviewed the current status of the chain's agreement with the newspapers and pointed out the probability of the creation of a news censorship board for radio which will censor all news and supply only bulletins that have previously been printed six hours before.

Today's News Tomorrow. Satirizing what might happen under such regulations yesterday's weather reports were read with this angle of the broadcasting ending: 'For today's weather see today's papers.'

Another element of sarcasm followed with the pretended broadcast of a mythical meeting at Washington between President Roosevelt and ambassadors of foreign nations on the debt question. It was interrupted as the President was about to be introduced by stating that the program had been censored.

Station called on all listeners to write protests on the ground that their rights are being jeopardized to M. H. Aylesworth, president of NBC, and to the Federal Radio Commission.

Series of attacks made by KNX, Los Angeles, on the peace terms agreed to by the networks and the press had its repercussions in New York last week in the form of six bags of fan mail addressed to M. H. Aylesworth. In arraigning who for agreeing to cede the regulation of news broadcasting to the press the California station called upon the listeners to make protest both to the Federal Radio Commission and to Aylesworth, whom KNX described as the instigator of the 'peace'.

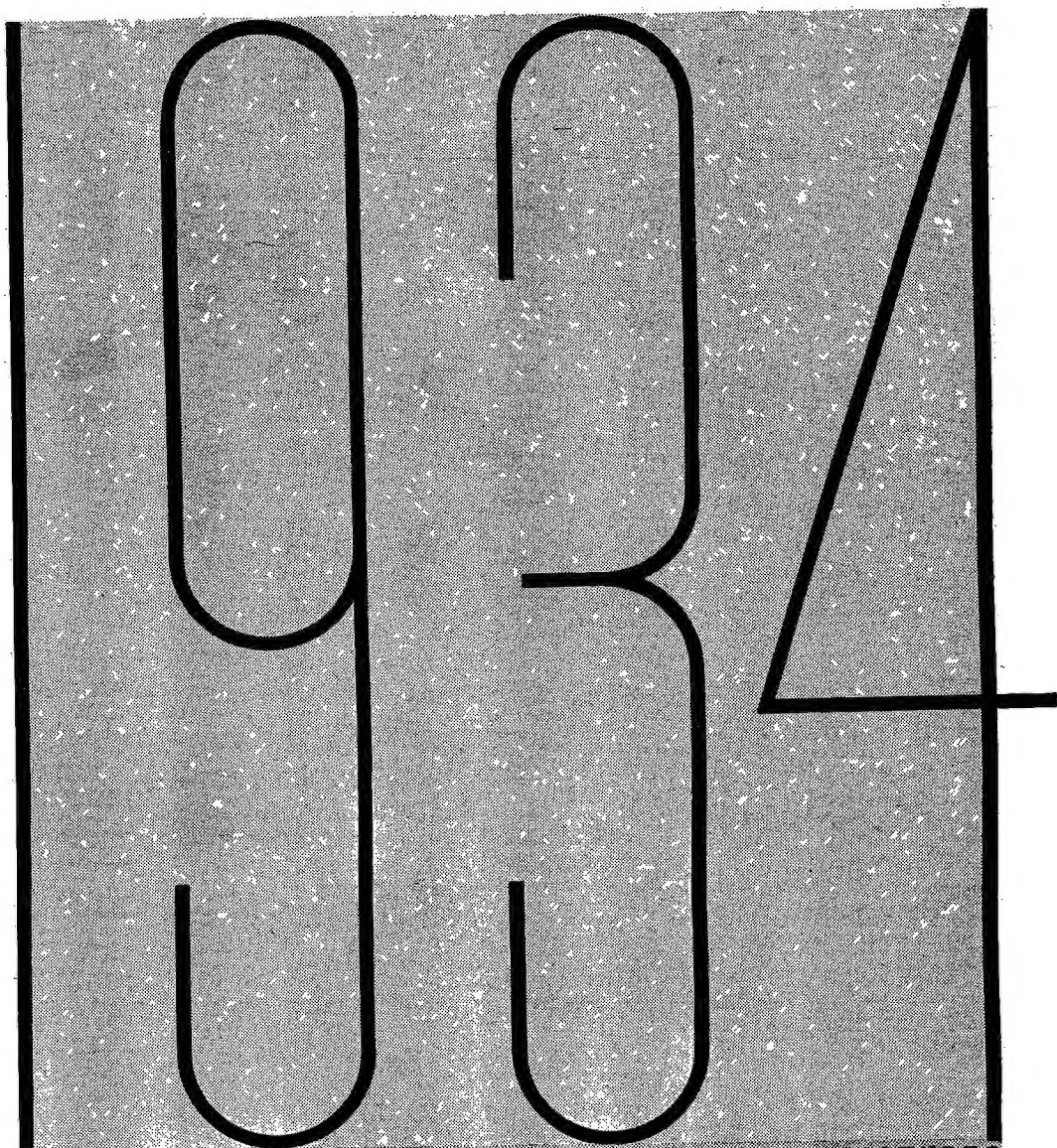
Figured that the NBC press's barrage of mail from this source amounted to over 30,000 letters and postal cards. Ratification meeting on the deal between radio and the press will be held Saturday (6).

### TIMBERLAND CIRCUIT

Minneapolis, Dec. 31.

The 'timberland circuit' is a new one for these parts, consisting of government reforestation camps throughout Minnesota.

Five portable projection sound sets and all the time-making not the 'circuit' and each of the 35 camps sees a film once a week. Admission 15c.



A MILESTONE IN THE HISTORY OF MOTION PICTURES

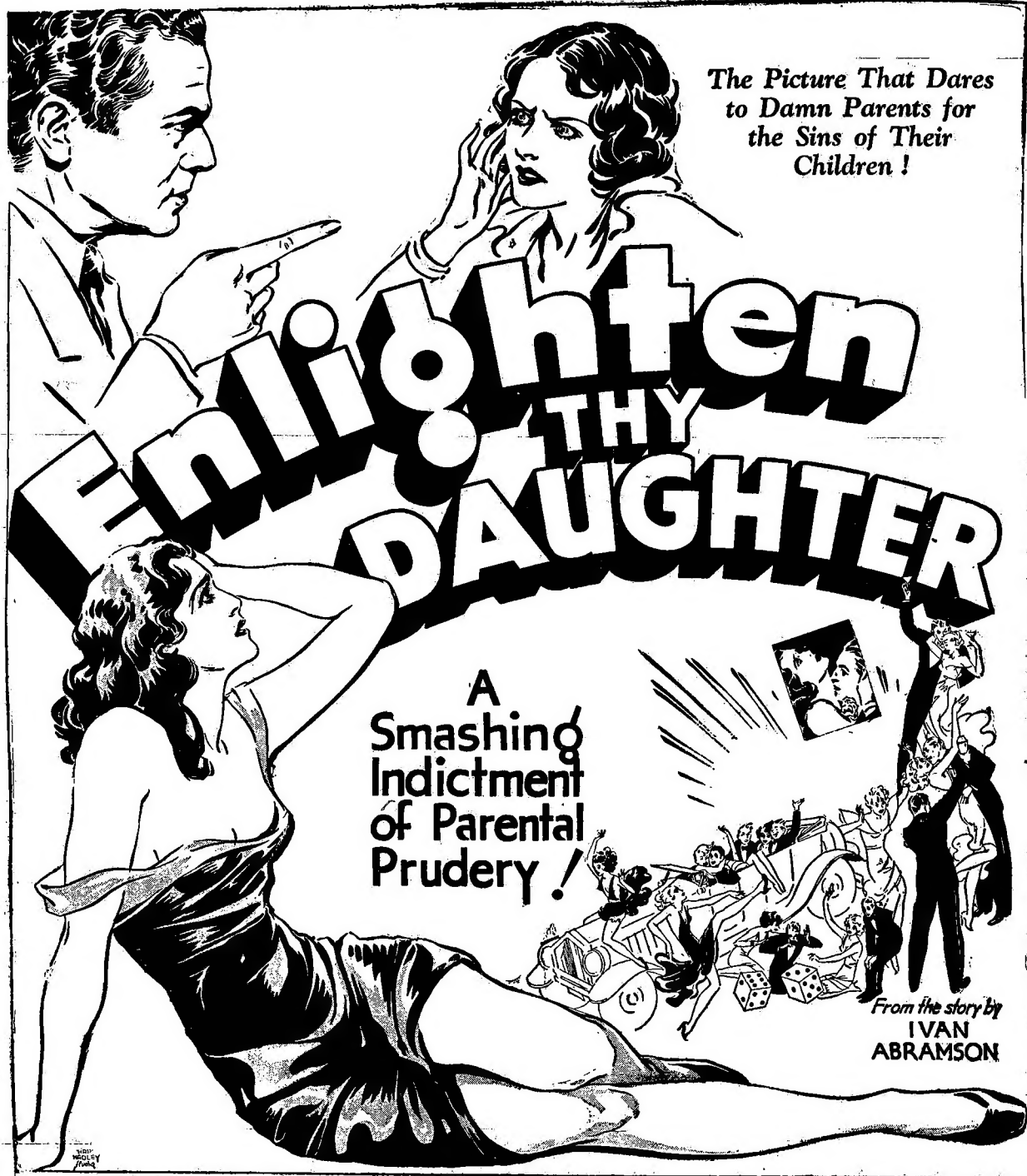
*Marking*

**MIKE SHEA'S** fiftieth successive successful year in show business.

**VARIETY'S** 28th year as the outstanding publication in the amusement field.

**PARAMOUNT'S** 22nd year of leadership in the motion picture industry.





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# Just simple arithmetic

## ROXY, N. Y.

Per usual the stage show eclipses the screen fare. That's been the secret of the theatre's post-receivership operation which has taken it out of the red and into a profit regularly. .... ABEL

+

## ROXY, N. Y.

While the Roxy continues to pile on length to its shows, and less quantity would suffice, the quality by comparative present day standards remains quite high. It appears that Fanchon & Marco's long and intimate knowledge of the talent market is making the Roxy possibly the best-booked big house in Manhattan. .... LAND

## ROXY \$18,500 PROFIT VS. 229G LOSS IN '32

Howard S. Cullman was appointed receiver of the Roxy for six months after a hearing last week. The report which Cullman submitted to Judge Caffey showed that the Roxy has a profit of over \$18,500 for 1933 compared to a net loss of \$229,500 for 1932.

**VARIETY**

December 19, 26, 1933

**F&M STAGE SHOWS**  
 1560 BROADWAY, NEW YORK  
 BRYANT 9-3100  
 A SUBSIDIARY OF  
 FANCHON & MARCO.

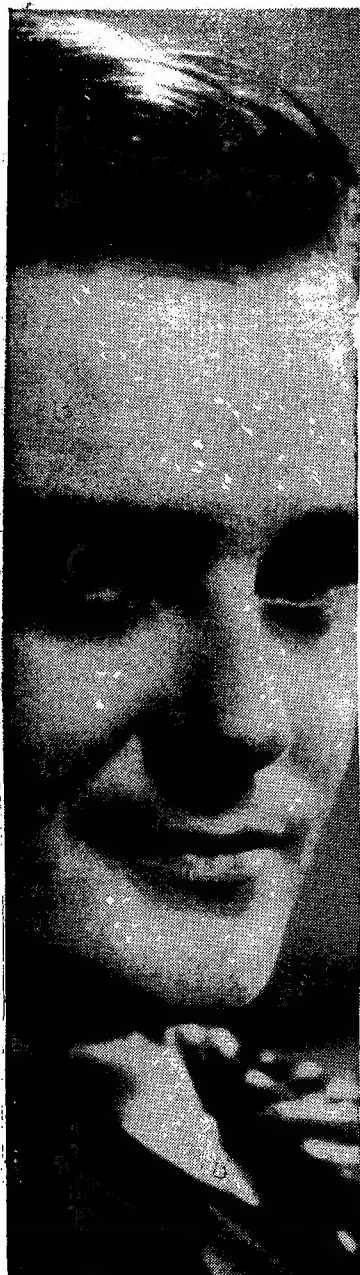


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**A** swift-moving romance-adventure-mystery drama whose plot involves every passenger on a transcontinental bus trip... Speed and snap in every scene, with scenes changing as rapidly as the bus flashes from city to city... and a smash climax that will hold your crowds spellbound!

with  
**JUNE KNIGHT**

ALICE WHITE, Alan Dinehart, Eugene Palette, Henry Armetta. Story by Stanley Rauh. Produced by Carl Laemmle, Jr. Directed by Edward Buzzell. Presented by Carl Laemmle.



**LEW  
AYRES**

IN



**CROSS COUNTRY  
CRUISE**



*Season's Greetings  
To All My Friends*

On Eastern Theatre Tour  
Returning to New York  
To Open at the Paradise  
Restaurant, January 26

**BUDDY  
ROGERS**

## "THUNDER OVER MEXICO"

Directed by

SERGI M. EISENSTEIN.

*Will Continue to Make 1934 a Happy Year for Exhibitors*

Available for General Booking at All

**PRINCIPAL EXCHANGES**

# RICHARD BOLESLOVSKY

DIRECTOR

METRO-GOLDWYN-MAYER

"RASPUTIN AND THE EMPRESS"  
"STORM AT DAYBREAK"  
"BEAUTY FOR SALE"  
"FUGITIVE LOVERS"

In Production  
"MEN IN WHITE"

# PROBLEMS OF FED'L RADIO COMM.

By Colonel Thad H. Brown\*  
(Vice-Chairman, Federal Radio Commission)

To adequately cover this subject a writer would almost of necessity fill several volumes, but a concise definition of the Federal Radio Commission may be given as follows:

The Federal Radio Commission is an independent establishment of the national government dealing with the licensing of radio stations of every character, the licensing including the assignment of frequencies, the determination of power to be used in transmission, and the determination of hours of operation.

The Radio Commission came into being in 1927 when there were a total of 1,737 broadcasting stations in the United States. Mergers and other changes have reduced this number today to 588 and have brought about a worthwhile improvement in service to radio listeners. During this period when the number of broadcasting stations has been decreased, the number of listeners has increased until today more than one-half of the homes in the United States are equipped with receiving apparatus.

It is these listeners which it is the paramount duty of the Commission to serve. The law under which the Commission operates directs it to act at all times for the benefit of the "public interest, convenience and necessity." This is the yardstick by which the Commission measures its decisions.

It may be assumed, therefore, that all of the almost 600 broadcasting stations in the United States are operating in the "public interest, convenience and necessity." These stations operate under licenses issued by the Commission on definitely assigned channels, or frequencies, with definite assignments as to power and hours of operation.

The field of broadcasting has not always been so well ordered. The first Federal law having any relation to radio communication was the Act of 1910. It was not a regulatory measure, however, but related solely to safety of life at sea. This was followed Aug. 13, 1912, by an amendment entitled "An Act to Regulate Radio Communication."

It required the obtaining of a Federal license before engaging in any form of interstate or foreign communication by radio. The license to be granted by the Secretary of Commerce. There arose under this Act a question as to whether the Secretary of Commerce could exercise any discretion in the issuing of licenses, or whether he was granting the same merely by granting them to all applicants. A corporation had made application for a license for trans-Atlantic communication for a station at Sayville, Long Island. Although the applicant was organized under the laws of New York, the Secretary of Commerce had reason to believe that it was really controlled by German capital and Germany did not permit similar American owned corporations to operate in that country. The Secretary of Commerce thereupon submitted the question to the Attorney General, the question of whether, under the 1912 Act, he had authority to refuse the station on this ground. The Attorney General replied he had not, saying that the Act did not repose any discretion in the Secretary as to the granting of licenses. If the applicant came within the class to which licenses were authorized to be issued, therefore, in 1921, an applicant operating a station in New York City was refused a license by the Secretary of Commerce because of the type of apparatus it was using, and that it caused serious interference with other communications. The applicant brought a mandamus proceeding against the Secretary to require him to issue the license, on the ground that the duty of issuing it was purely ministerial. The court held that under the Act of 1912, the Secretary of Commerce had no right to withhold a license from the applicant to operate its apparatus for radio communication.

## First Two Frequencies

Up to 1921, the principal use for radio had been for point-to-point communication service. Few applications for broadcasting licenses were made. At this time there was no provision for wave lengths for this service so the Secretary of Commerce selected 833 kilocycles and later 750 kilocycles as suitable for broadcasting, and all broadcasting stations were licensed upon these frequencies. Broadcasting grew rapidly and by 1923 there were several hundred stations trying to operate simultaneously on these two frequencies. It is not necessary to draw a picture of the confusion that resulted. In March, 1923, the Secretary of Commerce called a conference of the various radio interests to determine what steps should be taken in aid of broadcasting. The conference recommended that the facilities for broadcasting be extended so as to include all frequencies from 550 kilocycles to 1500 kilocycles. The 1912 Act, however, neither authorized nor authorized any distribution of wave lengths among the individual stations.

In 1926 a broadcasting station in Chicago, authorized to use a certain frequency for a specified time, became dissatisfied with its licensed conditions and jumped its assigned frequency. The Attorney General brought proceedings against it to enforce the penalty provided in Section 1 of the 1912 Act for operation in violation of that section. The court held that "under the rules applicable to criminal statutes, sections 1 and 2 cannot be construed to cover the defendant's conduct, in which this prosecution is based. There followed open sesame of frequencies and stations used whatever frequency they pleased. The result was such a hodge podge on the air that Congress was besieged with letters, telegrams, resolutions and demands that something be done about it. Whereupon in February, 1927, the present Radio Act became a law. It was predicated upon the thesis that radio communication is commerce and that Congress has the power under Article I, section 8, clause 3 of the Constitution to regulate commerce with foreign nations and among the several States.

Whatever doubts may have existed in 1927 in the minds of some of our Federal lawmakers as to the power of Congress to enact the Radio Act of 1927 under the so-called "Commerce Clause" of the Constitution, it is now well settled that radio communication is commerce.

Broadcasting, unlike almost every other business in the United States, must be in the hands of relatively few institutions. Under our system broadcasters may be licensed to operate on frequencies separated by 10 kilocycles, from 150 to 1500 kilocycles. The same or adjacent frequencies must be separated by a distance sufficient to eliminate interference within their individual primary service areas. It is entirely likely that chaos would result if frequencies were not assigned by Federal authority. Without this rigid supervision the average radio listener might find himself unable to tune in any single station satisfactorily. His loudspeaker would blare forth the programs of two or more stations simultaneously and broadcasting, as we know it, would die an early death.

Against Gov't Ownership

Although we are faced with the necessity of Federal regulation of broadcasting in the United States, I am quite sure that we do not want Federal ownership and operation of broadcasting here. Government ownership and operation of broadcasting facilities is the system applied in many foreign countries including Great Britain. Such countries, came, into government radio operation rather naturally because of existing policies of ownership of railroads and telephone and telegraph communication systems. It is greatly to be doubted whether the Federal ownership and operation of broadcasting could provide the excellent and diversified radio programs which the American listener enjoys today, and for which the proprietors of our radio stations should be commended and artists they employ congratulated.

It probably would be impossible to find a broadcaster in the United States who is thoroughly and completely satisfied as to the facilities with which he is licensed to operate. If he is satisfied with his frequency he probably is dissatisfied with the power assigned to him or with his hours of operation. His power may be satisfactory but he may think that another frequency would be better for his purpose than the one to which he is assigned. The broadcaster may be the owner of two or more stations



LEW WHITE

ORGANIST

Exclusive NBC Artist.

Broadcasting daily at 8:30 A. M. from Radio City.  
Benj. Moore, Paint-Hour, Wed. 11:30 P. M. WEA.  
Hudson-Essex Hour, Sat. 10 to 11 P. M. WEA.  
Organ Studios, 1680 B'way, New York

which he would like to combine into one large station. To accomplish any change along these lines he must obtain the approval of the Commission. Applications to accomplish these and similar changes are before the Commission at all times. In many cases the Commission finds it possible to bring about a change in the allocation of the facilities by granting such an application. In many other cases it is believed that the public is best served by leaving the situation as it is.

Still more applications come from individuals and institutions who would like to enter the field of broadcasting, and they apply to the Commission for licenses to set up new broadcasting facilities. It is not always easy for the Commission to extend the existing broadcasting facilities to one community without damaging the facilities already being rendered several other communities. Such cases must be decided on the rule of "greatest good to the greatest number."

The Federal Radio Commission in determining whether or not station licenses should be renewed or whether new stations should be established must decide whether the public interest, convenience and necessity would be served by the licensing or relicensing of stations. In doing this the Commission considers certain facts or conditions which briefly may be set out as follows:

1. Is the radio reception now being received in the area sought to be served adequate?
2. Does the applicant have sufficient financial ability to establish and maintain the proposed service?
3. Has the applicant the ability, training, and experience to produce a well-balanced program with sufficient talent available?
4. Would the proposed transmission cause objectionable interference with established broadcasting stations?
5. Have the zones and states within which the applicant wishes to establish his service their equitable share in broadcasting facilities?

These fundamental considerations indicate definitely why it is almost impossible to obtain authority to build new broadcasting stations in the United States or to augment the facilities of existing stations.

## The Kansas Case

The Commission, through its legal division, of which the General Counsel is its head, is always maintaining a close check of the records of stations. While the Radio Act specifically prohibits the Commission from exercising censorship of programs to be broadcast, the courts have upheld the Commission in its consideration of programs already broadcast in determining whether public interest would be served by the continued operation of the station. A case arising in Milford, Kans., within the past few years clearly established that principle. In this case a station licensee

## Hotel New Yorker Tests

### Radio as Room Renter

Hotel New Yorker is the latest hotel to ponder the merits of radio in renting rooms. A test campaign on behalf of the Manhattan tavern is being tried out in Washington, D. C. One minute programs with live talent framed by Walter Craig are being tried.

Ruthrauff and Ryan agency handles account.

was denied a renewal of license by the Commission when it held that the type of advertising emanating from the station was inimical to public health and safety, and for that reason is not in the public interest. The case was appealed to the Court of Appeals of the District of Columbia, which sustained the Commission and one of the Judges of that court in writing the opinion quoted Scripture, stating "By their fruit ye shall know them." This case is of importance in that it recognizes the right of the United States Government, through the Federal Radio Commission, to determine whether or not a particular type of program is in the public interest.

Technical engineers employed by the Commission are among the ablest men of the profession to be found any place in the world. Employees of the Commission learn something of the technical side of radio through experience and concentrated study, but at all times the Commission must rely upon its loyal, conscientious and able staff of technical advisers. These men also assist in enforcing radio law and rules and regulations of the Commission. They conduct frequent tests to make sure that broadcasters actually are broadcasting on the frequencies assigned to them and with no more than the exact amount of power allowed.

Among the major problems confronting not only the Commission but the North American continent is the one involving the allocation of broadcasting facilities to Canada, the United States, Mexico, Central America and Cuba. Conferences have been held between representatives of all of these nations and more conferences will be held before a solution of this problem is arrived at. Certain facilities must be given to the people of all these nations and it is no easy task to determine what constitutes a fair distribution of facilities, to say nothing of the problems involved in satisfying the people of each nation.

## Five U. Zones

A portion of the duty of the Commission to administer, provides that the United States shall be divided into five zones and that the radio broadcasting facilities of the United States shall be divided equally among each of these zones and that a fair and equitable allocation shall be made among the states within each zone according to population, the intent of Congress being that each zone is entitled to "equality of radio broadcast service both in transmission and reception." On June 27, 1930, the Commission adopted rules and regulations providing for the allocation of frequencies among the zones and states as above outlined. Since that time it has been found that there is a difference in the service rendered by the various frequencies; that is, a station broadcasting on a frequency of 800 kilocycles gets out better than a station operating on a frequency of 1,200 kilocycles with the same power. The Commission at the present time is conducting a thorough study of this situation and working toward the end of a more equitable distribution of radio broadcast facilities among the zones and states.

The problems of the Commission usually are highly technical and I have not tried to discuss them from that standpoint. It is sufficient to say that throughout the four-year period, that I have had the honor to be associated with the Commission, I can say without fear of contradiction that it has endeavored at all times to keep foremost before it the thought that "public interest, convenience and necessity" must be served.

Colonel Brown, former Secretary of State, was Chairman of the General Counsel of the Commission from December 10, 1929, to March 23, 1932, and since the latter date has been Chairman of the Commission representing the Second Zone which includes the States of Kentucky, Michigan, Ohio, Pennsylvania, Virginia, and West Virginia.

## By Bob Landry

### Spot Broadcasting seems to be the

great agitator in radio. To begin with most of the radio industry is barely civil and seldom polite. Then there's the American Federation of Musicians, awfully anxious to attend spot broadcasting's funeral. And the Federal Radio Commission is scarcely its pal. Every platter must be preceded with a confessional, is an electrical transcription. And that 'A' the boom of Hawthorne's heroine wasn't any harder to bear than this phrase.

Certain advertising agencies are sold on spot broadcasting, but the majority of contract dispensers are network-minded, while the Four A's official opposition to the so-called general representative is in actual practice an anti-spot policy. General reps have been spot broadcasting's best friends and most eloquent advocates.

There's a stigma to wax that spot broadcasting cannot escape. It happens often enough that some radio disc is heard on the air and sounds rotten. There may be natural explanations for these mechanical imperfections, yet so long as the quality has a question mark the destiny of radio discs must be uncertain.

Meanwhile, broadcasting progresses not so much by selling its own merits as by pointing out artfully and cunningly the flaws and weaknesses of its rivals. This technique has been developed throughout radio during the depression. One agency knifes another, one network undermines the rival, this headliner chisels in on another's program. Machiavellian in suavity or bluntly above board, the daily game of making the other fellow seem like a crook or a fool goes merrily forward.

Lamenting the Doubt

Actually, spot broadcasting has some sharp tools. Advertisers buying so many towns and stations get most of their dops in graphs which can often be successfully distinguished under the unkindly analysis of someone who knows where to look for the weak spots. Thus by showing that in eight of 20 towns the station the networks offer is not the best network in the community, a deadly doubt can be sunk in the sponsor's consciousness.

The great argument of spot broadcasting is that wax programs can be concentrated where they're needed and the waste circulation of the networks, with the high cost per unit, avoided. This line of reasoning works admirably with the manufacturers whose distribution is regional or incomplete.

Spot broadcasting has also recently advanced the claim that 20 stations, strategically selected by geography can blanket the entire country—any night. This compares to twice or three times as many outlets on a network hook-up. Power of large stations like WGB, Nashville, WFAA, Dallas, or WCV, Schenectady permit the assumption that these stations are heard regularly far beyond the communities in which they are actually situated. Towns in which newspapers habitually list seven or eight stations in other cities are used by spot broadcasters as an argument that the overlapping of power signals can be advantageously employed to get maximum results for minimum cost.

## Phonograph Records

Radio discs, of course, indignantly deny that they are phonograph records. Actually they are much more than that. But the distinction is largely technical to most people and advertisers shy away on that account. Against this spot broadcasting points to the wide range of celebrated names and entertainers who have been recorded on radio discs as proof of the intrinsic merit and, moreover, of a quality far beyond anything the regional sponsor can hope to get within his own area.

Spot broadcasting has taken a lot of wallows in the past and its future is far from assured. In general its enemies are more influential than its allies. Spot broadcasting has not known how to counteract the propaganda with any degree of cleverness. Or, perhaps, couldn't afford the campaign necessary to give institutional prestige and standing.



# BROADCASTING IN 1933

By Bob Landry

That Chicago banker whose manly sense of humor prompted him to predict that 1933 would be remembered as the year the depression began wasn't far wrong on that. After breezing through 1930, 1931, and 1932 at a constantly accelerating upward swing broadcasting slowed down temporarily during the year just ending. It was probably the worst and longest summer the radio industry has experienced, and not until well into the fall was renewed optimism confirmed by a belated influx of contracts which ultimately jammed the networks.

A taste of depression produces a chastening state of mind. It is also likely to be accompanied by changes born of retreatment and dissatisfaction. Many such changes did occur in radio.

Of the quarrels within radio the feud with the daily press remained the bitterest. Manifestations of the newspapers' animosity bobbed up all the way from Greensboro, N. C., to Des Moines. Newspapers curtailed radio publicity to a minimum and in some instances banned mention of the other altogether. Fuel on the smoldering embers of this tiff was poured by Columbia's new-gathering bureau, organized along regular newspaper lines. That was interpreted as something pretty wful by many an editor.

As the year neared its close the networks and newspaper publishers patched up a peace treaty that resulted in the scrapping of the much-hated CBS News Bureau and the creation of publisher-controlled editorial authority to decide what and how much radio may broadcast of the day's news. This pact must still be regarded as a preliminary step in the end of the press-radio war is far from an accomplished fact.

Other radio battles were between networks and spot broadcasting, between the Four A's and the Association of National Advertisers, between the Federal Radio Commission and unlicensed individual stations. And those constant arguments between sponsors and talent, New York and Chicago, NBC and CBS, all stations and all musicians' unions, were undimmed by repetition and unsolved by time.

Of course, many of the encounters on the station relations battlefield never come to an individual end in eternal conflict with their own affiliates. NBC during the year sought to protect itself with more and better contracts as stations grumbled and yelled that they were being mistreated. Those visits to New York of regional broadcasters weren't just to see the latest musical comedies.

**1933's First Quarter**  
Going back to January, 1933, the records disclose that the webs had a so-so month and were slowing down, whereas spot broadcasting had its best January. A counting of heads revealed that not since 1931 had broadcasting developed any new personalities. Goods, cosmetics, drugs and tobacco provided 70% of network revenue. Lord & Thomas had spent \$6,461,866 the previous year and led the advertising agencies as radio's biggest customer. J. Walter Thompson, BBDO & Co., and Erwin-Wasey were right behind.

Things happened fast during the first quarter, ranging all the way from the attempt on President-elect Roosevelt's life and Columbia's witty news scoop on that event, to Ed Wynn's confession that he would angel a regional network. General Pershing and Herbert Hoover were approached to broadcast. The A.N.A. was making faces at the Four A's. Advertisers would like to undermine that 15% commission which is now, they claim, out of line with the service actually performed by agencies.

But the advertising agencies continued to fear the month of January. According to changed agencies on an average of every 18 months, it was calculated. Love was sweeping the country but not the ad agencies. The radio code developed very little actual expressed opposition except from labor. As a compromise it was decided to hold the labor case in abeyance for 90 days and place the code in operation except for the question of working hours. Smaller stations read danger signals in the document but did little to stop the passage, perhaps figuring they would save

Bengtson, KIZ production manager, Mrs. Naomi Reynolds, owner of the station; Amos 'n' Andy's embarkation upon a nation wide personal appearance tour that chalked up some box office records; rapid rise of Sidney Skies within Chicago's NBC hierarchy; Jack Adams' induction into WMCA, and a flat fight between Nick Kenny, Manhattan radio editor, and Harold Stern, orchestra leader.

**Spring Panic**  
By May the panic was on. It was sensed that 1933 was to be the summer of the big drought. Before the seasonal fold-up was over many a station had more sustainers than at any time since crystal sets. WBBM, Chicago, had only five 15-minute periods weekly from CBS, although well fortified with 33 purely local sponsors. This same station found out that it's unwise ever to slight President Eamon de Valera. When trading the Irish President in for a last-minute commercial, the station brought down on itself the verbal wrath of thousands. Switchboard was tied up for 30 minutes answering squawks.

CBS, always surveying, offered statistics that 69,514,000 listeners were reached by some 16,809,000 radio sets in the United States. Notwithstanding, in 1933 was marked by return of many an advertiser to newspapers. Conservative accounts adopted this reactionary trend on the theory that they were dealing with less intangible factors in publications.

There was a horror cycle of kid programs and NBC ultimately had to apply the brakes. Fears of censorship, parental criticism, were expressed and to a small degree materialized. World's Fair expected advertisers to flock for the privilege of broadcasting from the Exposition, but only a few were interested at the added costs. Networks weren't especially friendly to the expo on the commercial aspect, but went to town in a big way on sustaining co-operation.

On the Pacific coast it was the same old story. Programs were atrocious, showmanship was missing altogether, and exceptions to these rules looked like masterpieces. Regional broadcasters in general displayed plenty of initiative and ideas around the country. Leading in aggression were such stations as WLW, Cincinnati; WOR, Newark; WLS, Chicago; WSM, Nashville; WBT, Charlotte; WGY, Schenectady; WCKY, Covington; KDKA, Pittsburgh; WTMJ, Milwaukee; WJH, Detroit; WHAM, Rochester; WNEB, Boston; WVIC, Hartford; KSO, Des Moines; KNOX, St. Louis; KSTP, St. Paul; WCAU, Philadelphia; WRVA, Richmond; WWNC, Asheville; KDYL, Salt Lake; KFI, Los Angeles; WGN, Chicago, and CKLW, Windsor, Ont.

**Adverts**  
Stations were in a peculiar position. The Four A's favored special representatives against the policy of Scott Howe Bowen and National Broadcasting. Many outlets felt that the Four A policy tended to favor network as against wax programs. Wax was, and is, the individual station's prime source of revenue. Issue came up at the N.A.A. convention in White Sulphur Springs in the form of agitation to take the 'by electrical transcription' curse off wax shows. It seemed clear after the convention that the Four A's and the networks were better politicians than the party devoted to spot broadcasting for the issue, which had been clear-cut and definite, emerged from the convention pummeled out of recognition and comparatively easy to sidetrack.

In this complicated struggle for advantage the advertisers tended, at least by their attitude, to line up with spot broadcasting. The A.N.A. was making faces at the Four A's. Advertisers would like to undermine that 15% commission which is now, they claim, out of line with the service actually performed by agencies. But the advertising agencies continued to fear the month of January. According to changed agencies on an average of every 18 months, it was calculated. Love was sweeping the country but not the ad agencies. The radio code developed very little actual expressed opposition except from labor. As a compromise it was decided to hold the labor case in abeyance for 90 days and place the code in operation except for the question of working hours. Smaller stations read danger signals in the document but did little to stop the passage, perhaps figuring they would save

money by adopting Turkish fatalism. Canada was divided in two camps, pro and anti, on its new radio commission. Five percent of the total time of any program was deemed a high enough ratio of advertising by the Dominion government. Advertisers thought otherwise. CFCA, Toronto, expired in the night and the death certificate called it commission poisoning.

Several instances of advertisers trying to walk out on radio contracts and not getting away with it. Dutch Master Cigar found itself not at liberty to forget about a commitment to Jack Adams and the case reached the Appellate division. In Chicago the Critchfield agency had to pay when a sponsor screamed on 'Chickie' over WBBM.

Charley Hampy quit 'Peruna' cold when a new agency tried to tell him how to perform. Hampy made a speech over the air about 'interfering, meddling, advertising agencies,' and then walked. WGN told the Chicago Broadcasters Association it was namby-pamby and withdrew. WIBO heard from the Federal Radio Commission and left the air.

That WIBO case hasn't been talked about a lot, but there's been plenty of whispering. Alvin Nelson the dispossessed owner, has been campaigning against the commission ever since.

During the year, while a group of film exhibitors were whooping it up for Federal control, station operators in the middlewest declared that film exhibits must be crazy to invite Washington supervision. Radio wasn't all the first reports suggested. Running a station was a fever. Nothing was sure but trouble.

WFAA, Dallas, WBBM, Buffalo, and KFH, Wichita, left Bill Rameau and WBAP, Fort Worth, and WTMJ, Milwaukee, left Free and Slinger to join the Edward Tetry office, the first to abide by the Four A's station representation.

Other more or less newsworthy developments during 1933 included the discovery that Hicks thought Al Jolson was imitating Harry Richmond and George Price, his radio predecessors. Judge Rutherford, who preached sermons hit 300 stations, was barred in Canada and investigated in the United States for offending the religions. Col. Richard Patterson, a Democrat, became the number one vice-president of NBC.

Vaundy printed a review of Harold F. M. Montgomery, the International Harvester Corp., who revealed an unsuspected talent as a whistler; radio's first millionaire canary. Quin Ryan was applauded by the Chicago colored press for hiring James Mitchell, 16, as the only Negro actor on the staff. Late Master James was stabbed by a playmate and brought to the Cook County Hospital. Stuart Peabody blasted 'parasites who inflate the cost of radio talent.' There were 300,000 automobile radios reported in use. Vaundy established a protected material department for radio writers who feared plagiatism. An NBC announcer received in grateful remembrance from his sponsor a 60c jar of cold cream. A network efficiency expert put half dollars under the radiator to see if the janitor was (1) thorough, and (2) honest.

Put it all together and it spells radio.

**Radioite's \$21,411 Damage Award Hard to Collect**

Betty Lee Taylor, radio and theatre organizer, faces another fight to get the \$21,411 that was awarded her for injuries suffered in an accident to the automobile which she was driving here two years ago. City of Albany and the New York Central Railroad have filed in the Court of Appeals an appeal against the award, which was upheld by the Appellate Division after it had been set aside by a Justice of the Supreme Court in which a jury originally had returned a verdict in favor of Miss Taylor.

**AL PEARCE NATION-WIDE**

NBC will cross-country Al Pearce and Gang for a half-hour New Year's day afternoon, beginning Jan. 6. Matinee variety show will originate from Radio Playhouse, Los Angeles. Move by NBC to transcendentalize the Pearce show comes after a tryout that was okayed by the New York execs. Pearce's daily hour from 2 to 3 p. m. meanwhile continues on the Coast, part sustaining, part commercial.

## Pedlar & Ryan Agency Thinks Kay Francis Stall Unsportsmanly

For the second time in two successive weeks Kay Francis last Wednesday (27) failed to show on the Ipana Troubadours program. Disappointment produced in the agency on the account, Pedlar & Ryan, a bolt that for a while threatened to result in legal recriminations being taken against the picture name. What intensified the agency's resentment was the suspicion that Warner Bros. might have had something to do with the non-appearance but after the film producer had given assurances that WB had in no way influenced its contractee's behavior P. & R. decided to forget entirely the actress' obligation to Ipana.

Reasons are given for calling off the original date (29) was that the shock of her announced separation from her husband had been so unnerving that she would have difficulty reading her lines into a mike. Second cancellation brought with it the explanation that she was confined to bed by illness. Agency claims that in checking up on this excuse it found that the actress was still making the rounds of legit openings and had also been seen at several of the night spots. Ipana's advertising rep, however, had received the notice in time to scurry around for a substitute guest star for the program. Ernest Trux was the filler.

Kay Francis was the first disappointment in the long list of picture name the dentifice account has been using since the debut of the Troubadours idea three months ago.

## Charges Coast Stations With Code Violations

Hollywood, Dec. 31. Four Los Angeles radio stations are violating the N.R.A. Radio Code by not paying minimum wage scales to radio technicians as provided in the code—according to charges filed by Harold Smith, business representative of International Sound Technicians, local 695, IATSE, with the Los Angeles Regional Labor Board.

Local 695, which was originally organized for studio sound men, has been organizing radio men in the local field for several months.

## Guy Lombardo Combo Up For KHJ-Woodbury Aired

Los Angeles, Dec. 31. Looks as if Guy Lombardo's orchestra will follow Lennie Hayton's combo on the Bing-Crosby-Woodbury Soap program over CBS from KHJ.

Hayton has two weeks to go.

## KFAB-WBBM Sync Near

Lincoln, Neb., Dec. 31. Dee Dricks KFAB general manager has been making runs between Omaha and Chicago in an endeavor to get the allowed synchronization with WBBM, CHI, going by the middle of January.

New hitch involves considerable expense of new equipment maintaining a direct wire between the two studios and building of a halfway station somewhere near the Mississippi in Iowa to control the current feeding.

## Goodrich Coming Back

Goodrich Tire, which rates as one of the network's pioneer customers, is due to return to NBC the latter part of January with a half hour musical show. Cast auditioned for the spot included James Melton and Al Goodman.

Account has been off the air for over three years.

## KFWB's 'Queen Mary'

Hollywood, Dec. 31. KFWB will produce 'Mary Queen of Scots' as fourth of its series of 'English Coronets.' Beginning in three weeks it will follow the current 'Napoleon and Josephine' serial. Barker Brother, a local furniture dealers, will continue commencing. Kay Van Tippers will write, direct and play the name part.

## 3 SUSTAINERS OUT AT CBS

Columbia's annual New Year's house cleaning of its sustaining set-up this year affects Gertrude Nielsen, Willard Robison and Gladys Rice. Action leaves the first of the mikes with the Ex Lax stanza Monday nights as her only air contract. Both Robison and Gladys Rice were formerly affiliated with NBC.

Network has two warblers of previous buildup alliances returning to a sustaining schedule within the course of the ensuing week. Mary Eastman takes a late evening niche Friday (5) and Charles Carille a Sunday night (7) program with Howard Barlow as conductor.

## Mayor LaGuardia Scraps New York City's WNYC As Costly, Useless

As one of his economy measures Fiorello LaGuardia, New York City's new mayor, is putting the municipally operated WNYC out of existence. Notice to this effect will be forwarded within the next week to the Federal Radio Commission.

WNYC several months ago was shifted by the FRC to the 810 k.c. channel, which designation allowed WMCA and WPCB exclusive occupancy of 670 kilocycles in the New York area and their eventual merging of call letters. LaGuardia's move will also relieve the operators of WMCA of an implied obligation to the city's administration arising out of the reallocation.

Operation of WNYC has cost the city around \$50,000 a year. Outside of a studio band the talent expenditures have been nil. In addition to acts that appeared gratis WNYC had an arrangement with other local stations to hook in on their programs. Christ Bohnsack, former City Hall reporter, has been WNYC's manager since its installation six years ago.

Glennenden Ryan, one of the group of Wall Street scops operating WMCA, is the new mayor's executive secretary.

## PLOUGH TO 30 MINS. ON NBC WITH LOPEZ

Chicago, Dec. 31. Plough company switches its 'Penetro Revue' on NBC to Wednesday evenings for a 30-minute period in Jan. 3. Follows the previous 15-minute show which was shifted out of the way to make room for the Sal Hepatica show.

With the move-over Benny Meroff band goes off the program to be replaced by the Vincent Lopez orchestra. Also on the program are the King's Jesters. Other talent will be booked, the guesting system with Adele Starr and Tony Cabochon on for the first ride.

## Grunow Ready Show; For Ice Box Plug Only

Chicago, Dec. 31. Grunow company planning a return to an NBC ride late this month with a musical show. Likely to plug the company's refrigerator rather than radio. Follows a radio also campaign which hit the other last month.

Understood NBC musical series will be of institutional character. May be followed with series hooked in with a merchandising contest.

## Lum & Abner on Stage

Akron, Dec. 31. Lum and Abner, Ford commercial over WTAM, Cleveland, made vaude debut at Palace theatre here Sunday (31). Youngstown and other dates to follow. Warren Wade, from WTAM, handling the bookings.

## Ready Cooper's Chills

Chicago, Dec. 31. Bill Cooper's mystery stories for NBC figured to start this Friday or next. Will run on midnight for the chills. Will likely art on a local with additional stations added if and when.



## Regional Networks—And Why

By Ben Bodée

While the cross country link looks as though it will remain limited to the present NBC and Columbia representations for some time to come, the gathering together of stations to form regional networks is still an infant industry. Rarely a month goes by without a batch of outlets, individually owned as a rule, announcing themselves as linked into one of those cooperative selling plans.

Major motive for this territorial grouping today is sales resistance, or protection against, some high powered station in the locality. Within the past two months two of these samples have popped up in the broadcast picture. One is the Tennessee group which organized itself to buck the 50,000 watt, WSM, Nashville, and the other is the Georgia center whose defense motive is WSB, Atlanta.

This huddling together to resist the big fellow is nothing new to American business. But considered from the technical angle the circumstances which cause the organization of regional networks of the Georgia and Tennessee type, without parallel in anything mercantile. The chain retailer has been able to dominate the market within certain territories or regions, but to obtain this expansive sales coverage the chain factor has had to install one station in each of the various towns embraced by these territories. But in the case of radio this domination is obtained through a single entity, a high powered station strategically located within this territorial market.

### Big Stations' Contention

The operator of the high powered outlet sets up the claim that through his transmitter an advertiser can be assured of coverage equal if not better to the coverage obtainable from three, four or five stations of smaller wattage located within the signal radius of the big watt. Not only does he set up the argument of effort economy in dealing with a single broadcasting source, but the owner of the high-powered station offers to sell this coverage at a price far under the total cost entailed if the advertiser bought the three, four or five stations individually at their local card rates.

Hence, as a way out of such situations the small watters have organized themselves into joint and centralized selling units. The price argument of the big watt is met by offering all the small stations included in the territorial unit, regardless of what their local card rates may be, at one figure equal to or less than the cost of the high powered outlet. Under this arrangement the national advertiser not only buys three, four or five stations for the price of one, but, according to the sales argument of the territorial cooperatives, has the assurance of local dealer cliques with the local stations.

Another example of regional network organization is the Center of Population Group, this membership here including WHAS, Louisville; WSM, Nashville, and WCKY, Covington, Ky. Competitive point in this instance was WLV, Cincinnati's 50,000 watt which is due to double its power in the near future. With WSM shooting 50,000 watts and WHAS, 25,000, this particular regional combine presents one of unusual strength compared to the general run of practices and practices. The CPG affair, unveiled three months ago, has already established itself as one of radio's most powerful territorial selling factors.

Other motives have prevailed in welding together territorial networks. Don Lee, on the west coast, and John Shepard, 3rd, of the Yankee network, saw the advantage of linking up and controlling stations spotted within a region exceptionally rich in consumer markets. Other links have been formed to keep marketing and program costs down with this overhead split up and made individually as easy as possible for those concerned. Still, other territorial links have had their origin in the idea of selling them on a mass circulation basis, these stations generally being of minor wattage and backhills type.

Like the national webs the regional combinations also have their worries when it comes to selling time across the board.

## MINEVITCH RASCALS RUN FOR ICE CREAM

Borrah Minevitch's new commercial starts Jan. 16 over WOR for Reid's ice cream, booked by the William Morris agency. Peter Dixon is scripting Boyle and Zilpert is advertising agency.

Minevitch and his Harmonica Rascals are currently at the Chicago, Ill., and will probably double into the Casino de Pares when getting back to start his air series.

## Extra Vacation for School Kids Spoiled As Teachers on Air

Des Moines, Dec.

Des Moines schools undergoing repairs with NRA government funds will be closed an extra week during the New Year holiday stretch. Which ordinarily would be a great break for the kids. Only KSO and the Board of Education hatched a plot to keep the children at their lessons, through the medium of the radio.

Bulletins explaining how the lessons would be held twice daily, morning and afternoon over KSO, were distributed to the students prior to the start of the vacation period. Students will have to turn in examination papers so they can't play hooky from the radio school.

### AUTO WEEK SPECIALS

Ruthrauth and Ryan agency, New York, is arranging a series of 21 one-minute quickie blurbs on radio discs to run three-a-day during the duration of Automobile Week in the various towns. Left open so that they can be used in whatever town the celebration of Auto Week is an annual affair.

Dodge Brothers is using this series to supplement its regular waxings.

## FRC Should Stop Stalling—Dill

### Senator Likes Canadian Middle Course of Advertising Curbs

Washington, Dec. 31.

Senator Dill, chairman of the Senate Commerce Committee and co-author of the Federal Radio Act, last week assailed the Federal Radio Commission for inefficiency and a do-nothing policy. Expressing doubt that Congress will go for legislation forcing communications mergers and a central regulatory agency as favored by President Roosevelt Dill called on the Commission to either get busy or give up the ghost.

Reaffirming confidence in the American system, Dill declared emphatically that steps must be taken by some governmental authority to curb offensive advertising and served notice if the Commission doesn't swing into action he will introduce legislation abolishing the existing regulatory set-up.

Pointing out that the Commission is directed to protect the public interest, Dill declared the government agency has adequate power to step in and lay down rules governing the nature and amount of advertising matter accompanying a commercial program. Supreme Court has ruled Commission possesses this degree of authority, he said.

"When the Commission was set up it had a different problem to handle," Senator Dill told VARIETY. "It had a hard job getting allocations straightened out. But now that job has been pretty well accomplished, although there ought to be more allocations, and the Commission should begin to pay some attention to these matters of public interest."

It just sits behind these regulations it has laid down to protect itself and stands pat. With five commissioners drawing \$10,000 a year and a big staff of people to

## Dispute Cantor Theory

Advertising agency men appear not to share Eddie Cantor's viewpoint with regard to radio programs performed before audiences. While some actors take the same slant espoused by Cantor, the agency group feels that the objections to an invited audience do not offset the advantages.

Primarily, invited audience is a device for winning consumer good will. Contentions are that through the distribution of these pasteboard radio programs have been strengthened in popularity, have obtained much word-of-mouth publicity. Another valued aspect for agency and sponsor is that dealer tie-ups fit in. Thus dealers contacting their own customers can give away tickets to the broadcasts. It costs nothing but flatters that quirk of human nature which loves to get in on a pass to anything.

## VET TALENT DISCOVERED ON NBC

us Edwards is slated for a build-up on NBC. Starting in January, Edwards and his proteges have been breaking in around the lesser stations and the son writer-entrepreneur is deemed now ready for an important ether outlet.

Edwards has long ranked as a champion picker of young entertainers, and right now admittedly needs new people badly.

### Surprise!

Chicago, Dec. Amos 'n' Andy have been renewed for another year by PepsiCo. Which adds another notch to their long-run record.

## Radio Guy

By Eddie Cantor

Ever notice with what delight a fellow says, 'I told you so!' what he predicted has come true? Am I delighted.

In October, 1932, I said to several newspaper friends, who were nice enough to quote me, that before long, out and out gag comedy on the air was due to flop; that radio audiences were becoming smarter with each program, and rather than be gagged to death they would just stop dialing in on the people who recited a series of jokes.

What I said over 14 months ago is coming true. The radio public is giving the gag-by for the situation-laugh guy. Despite the awful static coming from some radio editors to the effect that 'comedy is fading on the air', as a successful little predictor I want to go on record with the statement that comedy—good comedy—will always be top in radio. If there are no laughs coming into the homes of the millions of radio owners, radio manufacturers will soon find themselves in a new business.

### Must Have Laughs

The musical programs are improving every day. Mr. and Mrs. America are strong for the symphony orchestras. Singers—good singers—are demand. Always will be. But take it from this ham, ya gotta have laughs. Personally, on my own program, I try for a mixture of situation comedy and a few serious moments as the ideal combination.

Unless some sponsor has a product which is sold only in big cities, the program should keep its eye on the smaller communities of the country. They are the true radio fans—they not only listen, but buy your product. If a sponsor has a product for which he is seeking national distribution, he is committing commercial suicide if he permits his program to cater to the people in the big cities without regard for the listeners in the smaller towns. His program must be of the type that will create enough good will to have the listeners go out and buy Wholes tooth paste and Whatchamacallits paint and See & See's coffee.

Now then, if I may, just a little advice to performers. If you have been born and bred in or around the theatre—and believe me, that's the foundation of radio entertainment—divorce yourself from Broadway when you are on the air—if you want to stay on the air! Don't be fooled by the comments of theatrical wisecracks. Watch your fan mail. Keep your material fresh and clean. Don't depend entirely on yourself for material. Get yourself a good author. If you can afford more, get two or three authors. Don't be afraid of rehearsals. Four or five hours of rehearsal are not too much for a one-hour program. Respect your sponsor's judgment. If you were a success on the stage, forget it when you get on the air. It's a new medium. Study it. Have records made of your broadcasts. Keep playing these records, and find out how you can improve your technique. If you are successful, don't take all the credit. There may be people on your program who have helped you attain this success. Share it with them. If you use a stooge (who is probably as good as you are, even though he has no name), share your good lines with him. Make him important. It will do your program a lot of good. Always keep in mind the fact that your personal success is secondary to the welfare of your 'hour' as a whole.

I believe that with 1934 we will hear saner commercials. I appreciate the fact that advertisers, in buying time on the air, must allot part of that time to their product. And yet it is my contention that an advertising message over the air can be over-written or over-sold. Just the same as an advertisement in a newspaper can be the wrong type of copy to attract reader interest. Advertising agencies must discover that they are not dealing with morons.

If the big advertisers who use radio are wise, they will immediately eliminate studio audiences. If this is not done entirely, they will use some device such as a glass curtain, so that the laughter (?) and applause can be kept out of the homes of the people who tune in to hear radio artists and not a studio audience's reaction.

### Wasted Minutes

I don't care how smart or conscientious the radio performer may be, with a visible audience in front of him he is tempted to play to the elephant's tail. The laughter and applause on the average hour program, with a studio audience present, runs about four minutes. The sponsor is paying for that time and the listening public should get entertainment during those four minutes instead of laughter, a good part of which puzzles, and prolonged applause which irritates.

Don't let any comedian tell you that he needs the audience's reaction in order to time his gags. That's the bunk. It is merely soothing syrup for the guy's vanity. If he only knew it he would be 100% better off concentrating on that audience listening in throughout the country. His material would improve. A lot of old jokes would be discarded. The comedy would be more imaginative, more creative. The studio audiences are nice people, but they're a nuisance.

Radio is the greatest medium of entertainment in the world. It has made rapid strides. It will make greater progress in 1934 than it has made in the past five years. Its paramount needs at the present time are writers with originality and, of more importance, showmen.

Radio is show business, and you cannot run show business without showmen.

## Trumbull Booked Ahead

Chicago, Dec. 31.

Steve Trumbull, former CBS publicity and news man, will handle radio contact for the World's Fair in 1934.

Taking the place held previously by John Clayton.

## WOR TRANSMITTER STARTS

WOR, Newark, will start erecting its new 50,000 watt transmitter the first of January, 1934. It is the site decided on for the apparatus.

Station is currently operating on 5,000 watts. Objections raised against the proposed structure by various elements in Carteret were overruled at a recent plebiscite of the townsmen.

Ed Jensen, manager of KVI, Tacoma, carried 100% of the local department stores the week before Christmas. Every recognized department store was on the air in town of 130,000.

## EXILED SOCIALISTS SEEK ARTICULATION

The Hague,

Exiled German socialists are continuing their efforts to find broadcast facilities on which they can present the anti-Nazi viewpoint for the benefit of Germany where 100% censorship leaves only high-powered radio as a means of getting things to the people inimical to the interests of the Hitlerites.

Russians, against the exiled German socialists who are too pink and diluted for the crimson red of Moscow, France, England, Switzerland, and Belgium have refused to allow their transmitters to be used for political propaganda.

Luxembourg and Holland are now possibilities while Poland and Austria, avowedly anti-Hitler, may allow the German exiles to use their stuff.

# Radio Showmanship

By BOB LANDRY

Riddle—You can't be sure, you can only guess, it works one place and not another, it's vague, unpredictable, often crazy, the best brains can't understand it—What is it?  
Answer—Showmanship.

And showmanship applies to radio. It may irritate the amateur business man, it may disturb and divide advertising agencies. But radio can't escape showmanship. No chart or graph can analyze showmanship. The dictionary doesn't even mention the word. Showmen themselves can't unite on a definition. It is what X is to algebra, steam to a locomotive, or sauce to a French chef.

In the theatre there are two main divisions of showmanship. First, and always first, the quality of the entertainment in respect to the audience to be reached and pleased. Second, the merchandising, exploiting, or selling of the attraction. A happy combination of a good show with good exploitation is the ideal. In radio it seems to be about the same. First the program must be right. It must attract and hold an audience. After that there are important supplementary aids to obtain maximum results and coverage.

## Very Program a Problem

Of course, what may showmanship for a foreign language station on the outskirts of Buffalo is not necessarily showmanship for the networks. Showmanship must be judged in terms of the problem involved and in radio effective programming. Advertising copy can be judged as a music. Carnegie Hall judges a concert. The Carnegie Hall judges according to certain fairly well established criteria. It's infinitely complicated by such matters as the nature and price of the product, the sales objectives of the sponsor, the weakness or strength of the distribution system, which in turn creates many local and peculiar situations, the extent and character of the competition, and the cultural level of the prospective audience.

Some concrete examples might be given at the risk of being out of context down to cases. But because most advertisers are loath to discuss results in actual terms of money, and because the flop programs are hard to appraise against the reticence of everybody involved, any attempt to comment from a showmanship standpoint on specific cases invites the dangers of wrong conclusions due to incomplete information.

Wayne King's orchestra may be cited along with its sponsor, Lady Esther Cosmetics. This band, with a few exceptions, has been a tradition, was a perfect choice for the product which aims at the type of women still romantically motivated. So that on top of King's own showmanship, or merit, there was the showmanship of Lady Esther's choice. And then there was the showmanship of another kind, the hunch. This was illustrated by NBC, Chicago, which correctly estimated the outcome of the Wayne King-Lady Esther hook-up and gambled with a firm that in its early days, as the thought, was stepping out on its head in trying to launch a program of such ambitious scope.

Another study in showmanship was the original Lucky Strike dance orchestra of some years ago. That program was rated good showmanship in the beginning. It had terrific speed. There was an announcer who talked like a cheer leader and music that consisted of nothing but choruses from nothing but his played in nothing but galloping tempo. The advertiser set the policy but time undid it. Lucky Strike showmanship was to be a product of a candidate-music-publicity. Heaters admit, namely that there is nothing so sing-songy and monotonous as pop music when overdone. So what started as a peppy and welcome program ended by blasting and blaring and blaring as an assault upon the nerves.

Fred Allen's clever sugar coating of the commercial plugs for Hellman's Mayonnaise is radio showmanship at its best. Ben Bernie, Jack Benny, Ed Wynn and others trained in the theatre have tried to educate advertisers away from the dull glibby plugs. And advertisers, not being dumb, have gradually acknowledged the desirability of making the air sales message palatable. Disputes have been over the method, not the principle. With the advertiser first and foremost, wanting that sales man to be slammed across and laid to please on a comedy substitute for straight spelling, in this direction has been

stayed among the popularity leaders. Careful thought has marked the introduction of every chain of imaginary events in their marathon serial. Several times they have hit slumps and lost listeners but generally they have been the first to understand the reason and detour from the wrong track. That, of course, is nothing but showmanship. Yet, how uncommon is common sense.

In adapting themselves to radio, performers from the theatre learn that it's not what they think or know but what the sponsor likes. More than a few performers have flopped on the air because of being compelled to work with poor material. Classic example was Sherman and Pratt on the Real Slik program. These comedians were obliged to work almost straight. As a result they meant little to the program and did themselves no good.

Material is of course even more important to radio than to the stage. Personality is devaluated to a considerable degree by the microphone. Certainly performers depending on pantomime, mugging, peculiarities of dress, gait, manner, or the use of props and paraphernalia are seriously handicapped on the air. Although Howard Thurston did well and got two option extensions, this magician on the air was but a feeble shadow of what he is on a stage. Magic is meant for the eye rather than the ear.

Radio stations and networks are also handicapped by money factors. However fine an idea may be, if the cost in rehearsals, musicians, etc., is not warranted the idea is either dropped or cheapened into something quite dissimilar.

## Can't Repeat—A Tradition

By far the greatest strain on ingenuity and showmanship is presented by radio in the policy and tradition in radio that programs cannot be repeated. A vaudeville team can present a 12-minute routine in 400 theatres during six years of steady trouping and not exhaust the money making possibilities of that one routine. On the air the same routine is forever dead after one broadcast. There seems no particular reason why radio couldn't

(Continued on page 60)

## They're Saying

Successor to Lou Holtz & Stooges on the Chesterfield program is the Philadelphia Philharmonic orchestra.  
From Shawshoek to Stokow skel.

# Pacific Coast To Originate CBS Programs

Los Angeles, Dec. 31. CBS is planning an extensive invasion of the coast for talent and is set to produce a number of its transcontinental commercials from this end by an organization independent of its outlet, KFI.

William S. Paley, CBS president and Edward Klauber, vice president and general manager, will be here before February for the purpose, it is understood, of setting up an independent producing organization similar to the present NBC arrangement whereby this latter is producing exclusively its outlets KFI and KECA.

Bert McMurrie is, commercial program supervisor, has been on the coast as vanguard in the move for contracting of talent now here.

Few programs from the coast go over CBS network, although many are created by the Don Lee outfit going to 14 coast stations. According to McMurrie commercial advertisers have recently been losing their opposition to cast produced programs. They now realize, he says, that with the recent heavy assemblage of talent in Hollywood for pictures that to get good artists they will have to forget their previous insistence to be near the programs while in the making.

CBS will not give its own talent not only from the coast but from the air field which the network's excess has plenty of network potentials who have been unable so far to get a chance beyond the local stations.

# Indie vs. Network Setups

## LYRICS-IN-FICTION DECISION PENDING

After listening to the evidence in the infringement suit brought—Shapiro, Bernstein & Co., against J. P. McEvoy over the author's inclusion in a published serial of the lyrics to 'You Can't Stop Me From Loving You,' Judge Coleman in the New York Federal court last week reserved decision. On a motion by the music firm's counsel, Louis Vohs, the court agreed to defer its verdict until a brief containing decisions on the law involved has been submitted. Serial that used the song's verses was 'Are You Listenin'?'.

Collier's, which carried the McEvoy story in the issue of Dec. 12, 1931, was represented at the trial by counsel but the latter took no active part in the proceedings on the ground that the author's contract with the mag held him strictly liable for any copyright litigation.

## Georgie Price South

Georgie Price opened Jan. 1 at the Hotel Floridian, Miami Beach, for two weeks, booked via Jack Bertell.

It was a sudden booking as Price was originally set at the Manhattan Music Hall, new Broadway nightery, for at least a fortnight but walked out after three days when not receiving payment in advance. Price was paid \$500 before he opened, i. e. a half week's salary. Some of the choristers were similarly paid in part by the Manhattan M. H., likewise the bands.

Spot may be taken over by Tony Shayne and Nat Harris.

## WOWO's Artist Service

Port Wayne, Dec. 31. Sam Silverstein heads WOWO artists bureau, booking the studio's talent for entertainments, theatres and lodges. This is a new service feature added regularly to station.

Medford Marston takes over duties of booker and director from Howard Ackley and Dorothy Durbin.

# Agency Entertainment Rating

By Ben Bodes

As piers of the thing called showmanship the ad agency lads did pretty well by themselves during 1933. Outside of calling on show business for its talent, and occasionally for a writer, the agency vermin managed to keep the producing end of its air enterprises pretty much a closed shop.

From the viewpoint of entertainment catering, radio within the past two years has traveled a long way in bettering both the standard of material and the technique of presentation. With the commercial phase of broadcasting almost entirely responsible for this development, the policy of isolation assumed by the agencies has become a routinized one of them and further narrows the chance of showmen breaking into this phase of the amusement business.

When clients first began to take recognition of the new advertising medium and talk about giving it a flyer, the agencies found themselves faced with accepting one of two alternatives—Either they had to bring in outsiders versed in the business of entertainment, and teach them the advertising angle, or they turned the radio assignment over to those versed in advertising, but who would have to be left to grope with the business of agencies elected to grope.

A goodly use of them is still groping. From this trial and error method, at least during the past year, has come more hits than misses. Stable case in point here is the career of the Old Gold under Lennig & Mitchell direction. This program's start was weak. Through the first cycle of 12 weeks the agency experimented with various types of comedy acts in support of the Fred Waring arrangement, and the show continued to flounder around. But by the time this cycle's second week it had

an audience of unusual strength.

Outstanding among the agencies which garnered distinctive attention for air showmanship during 1933 was Cecil, Warwick & Cecil. That which rated this agency particularly was the smart all-around steering it gave Gulf Oil's Sunday nights on NBC.

Regardless of the fact that this agency had an uncommonly big talent appropriation to play with, the high percentage of clicks it produced, and the astute way it picked them for the supplementary publicity value, combined to make CWA's performance on the refining account highly creditable. All but one act (Fred Stone), according to checking surveys, registered smash listening percentages. These surveys conducted over a period of weeks gave Will Rogers an average of 80%, George Cohan, 72%, and Arthur Brisbane, 50%.

What the more active agencies in radio did in the way of network programming during 1933 and how their achievements are rated from the showmanship angle follows:

N. W. Ayer: While this agency turned out some crack samples of dramatic material, its best level of entertainment and general production was reached with the Arthur show centered around Phil Baker. Among the mystery element the Enig Crime Clues (Harold F. Ritchie & Co.) continued to hold top ranking. Agency also did well for Jeddo-Highland Coal with the adaptation of such classics as 'Treasure Island' and 'The Three Musketeers,' but slid off badly when it came to doing the Courtney Riley Cooper series, 'Circus Days,' for Scott's Emulsion.

Batten, Durstine & Osborne: Rate as having one of the best all around producing departments in the business, the agency returned the 'Name of Time' with the program as top of its kind on the air. Agency operates on a policy that favors distinctiveness of pro-

duction over heavy expenditure for name talent. On its list is the champ marathoner of network shows, Soochy-and-Skeetch—with a strong fave among the stanzas or clientele within the program's limited area of release.

Benton & Bowles: Maxwell House Coffee's Show Boat remains this agency's ace contribution to the air. Lots of ingenuity shown in the way interest is maintained by shifting the locale of the stanzas' background to a different town each week. From the advertising trade the agency was accorded an additional set of bows for the nifty handling of this product's merchandising. As go-between for Best Foods, on the Musical Grocery store whirl (NBC), first with Tom Howard in the name spot, and then Fred Allen, R&B is adjudged to have done no better than a nip and tuck job.

Low Co.: For Philip Morris cigarettes the agency turned out a so-so musical frame, with the baton switch from Ferdie Groff to Leo Reisman at the level neither way. Lack of restraint and ingenuity in weaving in the plug did much during the early weeks of the program's run to make listening to it a trial.

Blackett Sample Hummert: Credited with more accounts in radio than any other agency, this firm has yet to produce a show rating among the first 10 in adult popularity. Nevertheless it is facile both in turning out a smartly balanced musical show and creating a script series which sells the product. Still ranking best among this agency's song and band retinue is the American Album of Familiar Music (Bayer's Aspirin) on NBC Sunday nights—of the other 10 it is the musicals the Blooded half hour on CBS Sunday afternoon, with Helen Morgan and Albert Bartlett's orchestra, packs heaps of smooth entertainment.

Campbell-Ewald: Jack Benny last season: because the biggest bet for season because the biggest bet for the General Motors group directed

By Don Davis  
(President of WHB)

Kansas City, Dec. 31.

live me an independent setup any day in regard to advantages of operating a network or a network station.

Flexibility in suiting regional listeners' tastes is the thing. When an independent regional program produces music and dramatic programs which will equal or better the appeal of 75% of the programs on the chains at the same hour, the independent is in a position to offer the chain outlets some pretty stiff competition. Al McCosker is doing it at WOR, Quaker Oats at WGN, and even WHB, although handicapped by not having 'full time license.'

Flexibility in setting schedules, the personal appeal of local radio personalities, and a general program attitude are other regional program advantages. It's hard to win listeners for the independent station. It's tough to go up against some of the networks' big musical shows; and, of course, the indie seldom broadcasts spot news events of national importance but in other respects the independent can kick its chain competitors time after time.

For example, WHB has one program at 9:50 a.m. daily which is said to have more listeners than any other feature on the air in the Kansas City area. The broadcast is a radio drama, a presentation of actual traffic cases being tried in the North Side Municipal court. This feature is broadcast with the cooperation of city officials and the Kansas City Safety Council, in an educational campaign.

WHB presents the same kind of program at the same time regularly every day. When the chains have dance bands and dramatic skits, we give them hill-billy. When the chains go hill-billy or dramatic, we go dance. The flexibility in changing our schedule to meet competition, plus quality programs by a talent staff of 86 people, enables WHB to establish audience appeal. We get our dance bands by remote control from the Muehlebach Club, from the Kansas City Club, and from a studio orchestra.

An important part of WHB's studio is the Penthouse grill—a tea-room from which our main studio may be viewed through a large glass window. Our people talk to about 700 studio visitors daily. The Jones store broadcasts a WHB show every noon from a radio auditorium in that department store. This program played to a visible audience averaging 1,400 people daily for 28 weeks last year and there has been no drop in audience. The Jones store broadcast schedule is now sold weeks in advance and always has a waiting list.

## Freedom of Program

When an independent station is free of network commitments it can always guarantee its listeners a program without irritating shifts to make way for network programs. It can change schedules, talent or copy on short notice, rearranging programs to the advertisers' advantage within a few hours—if necessary. It can produce a program in which the talent and audience appeal. In making offers of special prices and sale prices over the air, it can inject a timeliness, seasonableness and regional appeal which is impossible with more rigid chain setups. It can produce a program which costs much less than network talent—and, of course, it generally has a lineup of transcription features for advertisers who want them.

From the standpoint of program production our aim at WHB has been to establish a studio in Kansas City. The Tremaine, Easy Aces and Ramona are WHB alumni. Joan Olsen, discovered last month at WHB by Ben Bernie, and featured with him in his stage show, is now on CBS. We also have a tested script, children's play, 'The Little Rascals,' which will be soon blossomed nationally. Another show built at WHB is to be recorded this month for a transcription schedule.

Our only feature is independent. (Continued on page 58) It's a Sunday afternoon on Sunday afternoon from 3 to 4 p.m., to plug in this chain program and not have to worry about casting, rehearsals, commercial announcements and all the other grief of building a good radio show. But running a chain station looks too easy.



# AS THOUSANDS HEAR

By Fred Allen

In an effort to have the mysteries of radio, its inner workings and complex activities, exposed for all time, I have been invited to air my views on the industry. I guess my views must be pretty stuffy, for I am constantly bumping into some heckler in the Auditorium who turns and says, "Why doesn't that guy air his views?" Since I know practically nothing about the subject in hand, I shall write at length.

My ability to write at length is not only a curse but it has caused me untold embarrassment on several occasions. At a recent dinner tendered to a prominent business man, who was going into the claws of the Blue Eagle, I received the Pulitzer Prize awarded for the outstanding Faux Pas for 1933. The dinner looked like something the sparrows had rejected, and the man who said grace, after rigor mortis had set in on his anchovy, took a look at the meat course and retracted his blessing. Crossword puzzles were served for dessert and my penchant for writing at length caused me to overdo the thing horizontally.

I had barely finished writing several sentences on the tablecloth when the hostess asked me to leave. Her request was sponsored by a majority of the other guests. Following this incident, and a scuffle at the front door, the importance of sponsors was brought home to me and while I haven't been asked to quit the radio yet (I return all fan-mail unopened), I realize that hurried exits in most other careers can be traced to sponsors.

All of this has nothing to do with writing at length, or with radio for that matter, but there is so much grief rampant today that it seems silly to attempt to connect an article that will make people stop and think. The successful writer today is the one who can make the reader scream and keep the mind a blank. I hope that a man with nothing on his mind will be able to read this treatise, put it away and forget about it, feeling that he has not been trespassed upon—mentally.

People who have heard my broadcasts say, "I think you belong in the theatre." Others, who have seen me through the eyes of Lady Luck, say, "Why don't you just sit out radio and the theatre? Television may be your forte!" The White Collar Man often stops me to inquire, "Is radio more difficult for the comedian?"

But so far, I haven't heard from the Man in the Street, and taking the chance that he will pick up your Vaseline when you have tossed it into the gutter, I shall devote my article to him. The subject is "Radio versus Comedian."

## The Debates

With a Broadway show the comedian rehearses four or five weeks in comparative peace, and all of his excitement is crammed into the last few days of rehearsals plus the out of town opening. If the show appears to be a success, minor changes are made leisurely and nothing of import happens to the actor's nervous system until the opening night in New York. If the show is a hit, the actor sits back confident that his troubles are over for months to come. He has learned his part and is anxious to do but needs it eight times weekly for the duration of the run. He has new chinchilla lining put in his spats, pending a severe winter, orders a new ferrule for his cane and makes a mental note to pay his Equity dues. If his personal notices were good he may endanger his budget balance and purchase a scrapbook. Purring like the prize winner at a cat show, the comedian settles back for the coming season.

How different is radio! The comedian lives in fear and trembling from program to program. Other radio entertainers may enjoy normal lives, but the funny man's existence is a barefooted detour on a road strewn with broken bottles. Let us compare his task with the toil of the other laborers.

**THE EARLY BIRD.**—The man with the health talk and his morning exercises. True, he has to rise with the lark and follow "Exercise" into the midget world. This, in itself, is a starting bit of material. Deft. With heavy eyelids the comedian does over a coast to coast hookup for 15 minutes interspersing his catnaps with such trite reminders as "Place both hands on the hips and yell whoops....Ready....One....Two....Three. Now exhale," etc. There is no helpline in the fellow's heart but months of practice have skilled him in the field of vocal skilldugger. He is able to converse with his listeners a million miles away home early and a man named Fent who gets up early every morning to start a line at the Radio City box-office, that he is in the studio, wide awake with the dew on his tonsils and his biceps flapping in the breeze. The Early Bird, his task finished, folds his manuscript, bolts down some ham and eggs with a chaser of bi-carbonate and rushes back to bed.

**THE NEWS REPORTER.**—He has a cinch. The world is his straight man and every happening is fodder for his tongue. "America Recovers from Russia and Bantendens." "Absent-Minded Gunman Takes His Own Life." "Hundred Percent Nudist Bares Conscience." These, and other headlines, are gnat to the news commentator's mill as he calmly stands before the microphone, paper in hand, reciting the events of the day. If every person on earth stood still for 24 hours and nature declared a moratorium for a similar period, the news man would find himself in a pretty kettle of fish. Incidentally, you would be able to pick out the reporter in a kettle of herring by the blank expression on his face and the blank pages in his hand. He would have nothing to say and no news, instead of being good news, would herald the end of his career.

**THE CROONER.**—Vocal Boy, Makes Good. He leads a charmed existence. Songs are written for him and publishers and pluggers wait a path to his apartment door pleading to have their numbers given preference. The Crooner selects the songs, best suited to his voice, if any, and is ready to boop-poop his way into your living room or cellar. The Crooner's overhead is confined to the purchase of an occasional bottle of metal polish to keep the megaphone mouthpiece shiny and, during the winter months, he may buy small quantities of anti-frozees for his adenoids. Popular crooners are generally insured for large amounts

since they move around the studio in constant danger. At any moment their fan mail is apt to topple over and crush them into a coaxed man. But all in all, the work is easy, the hours short, and the future a bed of roses if the Crooner is fortunate enough to sleep in a greenhouse in his old age.

**THE DRAMATIC ACTOR.**—He claims that radio is relaxing and pleasant work. Why shouldn't it be? The sketches are written by an author, rehearsed by a program director and paid for by the advertiser. The Dramatic Actor recites his lines into the defenceless microphone waits for the musical gong to sound and returns to the Friar's Club, if he can remember where the club is registered on that particular night.

**THE GAG-MAN.**—Radio is a joke to him....and generally not a very good joke at that. The average comedy author is 90% memory and 10% guts....or vice versa. Stir well with a stubby pencil, add a strong black cigar, a college magazine in each pocket, sprinkle the overcoat collar with dandruff and you have him. And you can keep him. Most of the gag-writers last as long as their eyes hold out, and so long as they are able to hawk their most jests, comedy from assorted sources, to the frantic mad Andrews who are contracted to convulse the nation weekly the gag-man is the buzzard of banter. Every joke he hears can be switched and foisted on his client. His life is a rosary of twists. The gag-man looks at the doughnut and sees a cruller. He looks at the comedian and sees the Hunchback of Notre Dame.

**THE COMEDIAN.**—Radio isn't so funny to him or to his listeners. The Comedian wakes up with a wheeze in his throat. After a few inhalers, to make sure that he is still alive, he notices the wheeze and if it sounds good he marks it down to be told later. Unlike other radio artists he finds no harbinger of joy bearing material to his door. If the Comedian wants a joke he has to send for his agent or pore through his collection of dusty joke books to find it for himself. It is too lazy to function in his own behalf he sends for the gag-man, the professional ghoul, to man the phone of buried puns into his premises so that he may start writing his weekly broadcast. And if the comedian is to broadcast on Friday night he starts worrying early Monday morning. He scans the newspapers hoping to find items that will lend themselves to comedy treatment but the press is filled with murders, suicides and lynchings. The Comedian loses his appetite, and thereby saves breakfast money, but forcing down a cup of coffee he rushes out into the street hoping to meet someone who can suggest a joke for his program. In front of the Bond building he is regaled with hard luck stories and seeking to escape he passes a theatre marquee that reads "Good-bye again—Five Acts of Vaudeville." From group to gathering the radio comedian sprints through the day without a halt and without a joke. Nightfall renews his hopes. Soon the Broadway columns will be straggling about town and he will have some eggs on hand. By midnight he has met three columnists who have beaten him to the point, they have nothing but three dots and an asterisk to start their columns and need jokes worse than he does. Weary and discouraged the Comedian turns his steps homeward. The first rehearsal is on Tuesday and so far he hasn't a gag. He tosses in bed to see if he will stretch his throat and find one on his nightgirt. Morpheus loses and the comedian rises at the crack of dawn hoping that dawn will make a crack that will suggest a comedy bit and wondering what excuses he can make to his sponsor for coming to rehearsal without a pun. Imagine his surprise upon arriving at the breakfast table, to find some thorns and cream, a steaming hot cup of coffee, and a note, typed and manuscript. Picking up the scribble which starts off with a belly-laugh, he looks up at his wife and says, "Who done this, Honey?", turning so that she won't see the tears of gratitude skid down his hollow cheeks and plop into the Sanka. Hastily stuffing the current Ballyhoo into the percolator and tucking a Whis Bang under the sizzling bacon, the wife looks up and replies, "Your fairy godmother done it, Honey."

"You're a so and ditto", chuckles the radio comedian. "My family was atheists. We didn't have no god-mothers. We didn't have no God after we lost our Buddha." Knowing his wife is a Quaker he watches her stifle an oat before adding, "You wrote these words yourself, Honey. Tell me the truth." Reluctantly, the wife confesses that she is an author and the comedian rushes off to rehearsal. He reads his wife's script and the comedian's leader, who is breaking in a new set of flannels, dies laughing. The sponsor, hearing the leader and the orchestra laughing, takes up the comedian's option and the funny man rushes home to embrace his wife and they live happily for 13 more weeks.

**ADDENDA.**—Whatever that is. From this you can readily appreciate the plight of the comedian in radio. Each week he needs new material and he is only as funny as his last broadcast. No wonder then that he wears permanent flesh monocles under his eyes, that his shoulders droop, that his tread is slow and measured, that his friends, even as his laughs, are few and far between....for his life is the hardest job in radio.

The radio comedian's success lies in his ability to make the orchestra on his program laugh uproariously during the broadcast. Through hearing the background of guffawing in the studio the sponsor, listener, and average critic are all convinced that the comedian is a riot despite the fact that they personally can see nothing funny about the entire performance. The method used by the comedian to convulse his orchestra is simple. He merely asks the age of the oldest man in the band. It is generally the bass player and as a rule he is 50. The comedian then makes it his business never to tell a joke that isn't over 50 years old. Naturally, the musicians have never heard the material before and the orchestra collapses audibly at every word. The comedian's success is assured.

P. S.—I hope this makes everything clear.

# Commercial Clowning

By Ben Bernie

When, first, the gentleman asked me if I would do an article, I was suspicious. Having been ribbed in my life—I might even say well ribbed—I was going to take no chances. I still remember the famous Pittsburgh Phil ribbing and the time they gave me the Fireman's Bride.

And how about that time when I actually did knock four times and her husband opened the door? Yowah! Besides, the aforementioned gentleman did not look like a Vaseline man. His hair was cut, he was clean shaven, and his trousers were pressed.

"How do I know you're from Vaseline?" says I. He immediately took out a pair of bones and rolled three naturals. Thoroughly convinced, I gave him my name.

Just to show him I was an old newspaper man I asked, "When is the deadline?" (Privately, I have always thought a deadline was a line waiting for autographs.) Well, anyhow, here I am—H. Mencken Bernie, battling one out for the seventy anniversary of NBC—long may she anniverse.

Gosh! I feel like a grizzly bearded old pioneer when I think that I used to do chain broadcasts over WEAF away back in 1923. In those days we called it a "hookup," and the other station the hookcup. If my memory serves (and even if it doesn't) was the Gimbel Brothers' station in Philadelphia.

And while I'm on the reminiscence, how about that time in 1924 when we tried to establish radio communications with Australia? In order to fit their time we did two broadcasts from 5 until 6 a. m. I shall never forget the veiled mystery of those morning broadcasts, and the apocryphal voice of the announcer who at 10 minute intervals would give the call letters, "Weaf," distinctly misleadingly "WEAF," establishing radio communications with Australia," and again "WEAF," broadcasting for Australia." This kept up for an hour, and just as we were ready to leave we got a telegram. Breathlessly gathered around and opened it. It was from an Italian fruit dealer in Newark, N. J., saying, "Program coming in fine." I have never spoken to Australia since.

Maybe it was just as well that they didn't hear us. I was the fiddle section in those days, and Goering, my piano player, had a lousy left hand. For that matter he still has a lousy left hand, but what can you expect from an old two dollar handicapper who still thinks Mozart was a jockey?

But all this is irrelevant. Perhaps I'd better get down to the present. Anniversaries and pre-

## Coleman, Society Fav, Cuts Show Tunes Only

Columbia Phonograph has added Benny Pollock and Emil Coleman to its band list. Connection in Cash Institute is exclusive. Benny Goodman, Columbia's mainstay when it comes to imprints of the hot-cha genre, has received a similar contract. Because of the maestro's society following, Columbia is restricting Coleman to show tunes. Coleman's previous disk contact was Brunswick.

Another newcomer to the Columbia release sheet are Buck and Bubbles. Two sides already turned out by the team include tap dancing.

## Reber's Fast Move

John Reber, of the J. Walter Thompson agency, is on a hurried trip to the Coast. He left New York Saturday (30).

Boys aren't satisfied with the Vallee program, since Rudy moved west for a picture, and Reber's intent is a little repair work.

## \$28,000 Nite Club Blaze

Newark, O., Dec. 31. Explosion of an oil stove left the Villa nite club here in ruins with \$28,000 loss and injury to L. C. Foechner, manager, who is in a hospital with bad burns. Building was burned to the ground, with loss of \$25,000, and \$2,000 to equipment. Band playing there escaped with all their instruments and equipment.

sents go together, anyhow. (Heah, heah, Bernie, refrain from punning, you rascal.)

For years the slogan has been "Long Live Show Business!" It is still the slogan, only along with show business is included radio. Radio now looms as one of the most important factors of show business, and, modestly, the old maestro predicted this many years ago. I remember just eight years ago in New York how I founded the advertising agencies and the commercial offices of the radio stations trying to convince them that lightly handled advertising chatter to your Harvard guys could sell a product on the air. Most of them wouldn't even see me. Talk about not being able to get to first base—I couldn't even get into the ball park.

That is why a beatific glow of love suffuses my cheeks as I purr about Pabst Blue Ribbon. They were the first to give me my chance—and with no instructions, no limitations, no admonitions, no carpets to be called up on. (Note to editor: If you cut this paragraph I shall cancel my subscription.)

Continuing in this bragging mood, I might say that I have never abused the privilege given me to ad lib. I have never been on the carpet for either network yet.

Light handling of the advertising continuity (commercial clowning) seems to be the vogue-y today. And my ink reddens as I blushingly admit that I was the first to start it. I grizzly beard speaking again. Editors all over the country have called me the pioneer, and who am I to dispute them?

Personally I deplore the tendency of some of the current radio comics to overdo this commercial clowning. There is a great difference between "kidding"—the product—and "swearing" the product. There is a place where wisecracks end and ridicule begins. As far as that goes, I hesitate to use the word "kidding," since there are so many forms of this gentle sport. To be "sport" it must be "gentle."

The sooner that the radio comes back to its proper perspective, the the goat but the guy who pays the bills, the better off the comics are going to be. It's the old story of the goose and the golden eggs.

Broadway, which is considered the wise street, set out at the start to advertise the advertising agencies and their clients. I would ask the old maestro, I would say that the advertising agencies are unenraptured by Broadway. And Broadway can use some smartening up.

## Smartening B'way

The radio advertisers have taught Broadway to change since radio has come into its own. To wit and viz: they have taught it good taste, restraint, discretion, a sense of limitation, and humility. The radio may demand a different technique from the stage. It may demand a different approach, a different point of view, a different material—but one thing remains the same. And in my opinion that one thing is the greatest thing in show business—humility.

Yes—humility. Taking the falls. You've got to do it on the air the same as in the stage. Be humble. Have gratitude. And there's no better place to begin than with your sponsor. Kid his product—sure—but kid it as you would kid a friend or a pal or a sweetheart. lap up product on the back—not in the face. When it is your turn to take a fall, it is sure it is fun. Smile when you say them words, huh?

Broadway has called the advertisers "corny." If those advertisers are corny, so is President Roosevelt. Yowah! So give me the good old corn.

Before I get into the finale I should like to make one yelp. That yelp is—keep the innuendos and the double entendres out of radio. I've heard many a borderline gag in the past season on the radio, and if there is anything that is not my falling hair it is this positive gag situation on the radio. It will invite stricter censorship of radio continuity and will ultimately lead to a definite curtailment of ad libbing. Take it, or leave it, from Deacon Bernie, remember it.

And now it's time to get out the music sheets for "Au Revoir, Pleasant Dreams." I hope I haven't been too caustic, but then expense is no item. If there is anything in this article that offends you, my solicitors are Wickersham, Nottingham, Pincus and Snowflake.





# NBC ARTISTS SERVICE

*Salutes* THE ADVERTISERS • ADVERTISING  
AGENCIES • RADIO BROADCASTING  
STATIONS • VAUDEVILLE AND  
MOTION PICTURE THEATRES  
MOTION PICTURE PRODUCERS  
RECORDING COMPANIES • HOTELS,  
RESTAURANTS AND NIGHT CLUBS  
OPERA COMPANIES • CONCERT  
MANAGERS • CLUBS AND OTHER  
ORGANIZATIONS • WHOM IT HAS  
BEEN PRIVILEGED TO SERVE DURING  
1933, AND TO WHOM IT OFFERS ITS  
HEARTIEST COOPERATION IN 1934.

*NBC Artists Service* • GEORGE ENGLES • MANAGING DIRECTOR

NEW YORK • BOSTON • CLEVELAND • CHICAGO • SAN FRANCISCO • LOS ANGELES • PORTLAND, OREGON

## 2 YEARS OF RESEARCH TO DECORATE STUDIOS

By GERARD CHATFIELD  
(Technical Art Director of the National Broadcasting Co.)

Victor Hugo once said that "the beautiful is as useful as the useful." In this generation of educated eyes we have discovered that it is good business to make the useful as beautiful as possible. Glance through the advertising section of current newspapers and periodicals, observe new motor car models and furniture designs, or stroll through the nearest five-and-ten-cent store. It all reminds that aesthetic values now command commercial value. Today they do not think of designing a new building or furnishing a commercial establishment without seeking to make it as visually attractive and comfortable as consistent with its purpose and practical requirements.

There is something genuinely spooky about a broadcasting studio to those unaccustomed to facing a microphone. Even the veteran radio artist, as well as the novice, intuitively craves some stimulant to compensate for the absence of applause and the stimulating reaction of a scene audience.

Drab, bare walls and the terrifying sight of mechanical equipment have spoiled many a broadcast. Experience has taught us that it is vital to connect much mechanical apparatus as possible and to camouflage acoustical requirements with decorative schemes that would help those who perform.

This would be a simple task, indeed, if acoustical requirements did not take precedence. Any interior decorator or taste could have handled the job magnificently. Our problem was not so simple. Only comparatively few persons see the inside of a broadcasting studio; millions hear what comes from it. Of necessity decorative art must compromise with science and psychology.

### Figuring the Future

When called upon to take charge of decorating our new headquarters in Radio City I felt somewhat acquainted with the problems. I had seen and used the progress of radio science and the development of broadcasting technique had created new problems. We even discovered it necessary to think about things we had not yet thought of. We were building for the future as well as for the present and it was imperative that we discount future problems that did not even exist.

Broadcasting studios require special acoustical treatment to prevent echoes, to absorb sound reflections. Yet there are certain types of programs that require just this or that degree of studio resonance. Different instruments, different groups of instruments, different voices, each and demand their own individual acoustical consideration. Our new studios are virtually rooms within rooms, boxes within boxes. These are suspended on springs, each with its specially treated floor and with walls and ceiling of a material perfected for our use. This material is perforated in a manner that resembles a porous plaster. This material could not be "papered" without destroying its very purpose. Paint would not relieve its unsightly appearance. Of necessity our painting and papering had to be done with textile fabrics. Not ordinary wall fabrics but special fabrics sensitive to our acoustical requirements. Special glues also were required for affixing these fabrics to walls and ceilings, for the same acoustical reasons.

For psychological reasons we deemed it necessary that all corridor and reception room ceilings, all dressing room and artist green-room walls be acoustically treated like studio interiors. Artists stepping into the average studio are confused by the strange sound of their voices and instruments in such acoustical surroundings. But with reception rooms, corridors, etc., similarly treated the artist is adjusted to this environment long before he reaches the scene of his performance.

To enumerate all the problems involved in decorating this new establishment would require volumes. This work is the result of two years of consulting with architects and engineers, endless experimentation and countless laboratory tests—all for the purpose of making the whole as attractive and pleasing as possible, all qualities of scientific requirements—and artist psychology.

# We'll Tell the World

By C. W. Horn

(General Engineer of the National Broadcasting Co.)

If, as Einstein assures us, time and space are relative, and very greedy relatives they are, nothing delights us more than cheating either or both. We consume a great deal of energy trying to chalk up new speed records, robbing space by stealing from time.

Possibly one of the first things Queen Isabella said to Columbus upon his return to Spain was, "Chris, you simply must do better than two months and nine days the next time." But it took 400 years before they perfected the clipper-ship.

And that wasn't fast enough. Father's "folly" suggested an idea, and so to the S. S. Rex, present trans-Atlantic champion.

Meanwhile, news was becoming a commodity quite as valuable as those rich trans-Atlantic cargoes. Morse had invented his telegraph, and not long afterwards men restlessly began trying to bridge the Atlantic with dots and dashes. Then, in 1858, Queen Victoria sent her historic greeting to President James Buchanan: "Europe and America have been united by telegraph. Glory to God in the highest, and on earth, peace, good will to men." December 12, 1901.

Along came Marconi with visions of taking the wire out of telegraphy. He rigged up one of his sending sets in England and then came to this side and built a receiving station. Patiently he waited with earphones clapped to his head. At last he heard what sounded like three dots but wouldn't trust his own ears. His colleagues listened. Yes, trans-Atlantic wireless was a reality. December 12, 1901.

Wireless telegraphy played an important part in the war not only for communicating commands to the front-line trenches, but in combating submarine craft. Sub-chasers usually worked in threes, using mathematical triangulation of soundings for locating their quarry. Telegraphic code was hard to learn, and besides it was cumbersome. It took too long and errors were apt to creep in. This necessity gave an impulse to experiments with wireless telephony, and radio came into being. We would have had radio without the war, but probably not as soon.

### First International Program

Radio broadcasting had not become a practical and usable instrument very long before station WJZ picked up dance music being played by the Hotel Savoy orchestra in London and rebroadcast it for domestic consumption. Perhaps you remember that first "Westward, Ho" of radio. March 14, 1925. Shortly before that a London station had succeeded in picking up and rebroadcasting a program from KDKA, Pittsburgh.

It took Magellan's fleet three years and a month, lacking one day, to bring back the news that the earth was round. Jules Verne calculated the trip could be made in 80 days. In 1929 Dr. Eckner by his Graf Zeppelin did it in 21 days; in 1933 Wiley Post did it in a third of that time. A radio signal can circumnavigate the globe in a fraction of a second.

Radio signals travel with the speed of light. Roughly that is 186,000 miles per second, fast enough to circle the world at the equator seven times a second. This makes it possible for you to hear a mark speaking or singing on the other side of the earth sooner than a person sitting 25 feet away from the performer—providing you are sitting beside your loud-speaker.

Today we can, and are, eavesdropping across the seven seas. The facilities which make this possible are similar to, yet different from, those which enable you to hear programs broadcast from our New York studios. For instance, it was discovered that the lower frequencies (the longer ether waves at the base end of the radio keyboard) were the best channels for carrying domestic programs, but that these were not adequate for long-distance sending and receiving; whereas the higher frequencies (the shorter ether waves) are ideally suited for this purpose. Your receiving set is like a ear that can hear only the high soprano and piccolo tones.

By means of special short-wave receiving sets we pick up trans-Atlantic, trans-Pacific and South American broadcasts, transmute them into the appropriate lower keys that your receiving set can hear, and rebroadcast these in the same way as we do our regular studio programs, thus making it possible for you to hear a man speaking or singing in Australia.

### Expensive Short Wave

Short-wave reception, like short-wave sending, is quite a complicated process requiring special and costly apparatus to accomplish satisfaction. It involves many problems not common to long-wave reception. It is because of these peculiar problems that amateurs who experiment with short-wave reception are so frequently disappointed and discouraged.

There are many dead areas in the realm of short waves, spots where certain wave channels are impos-

sible to intercept. This is due to their nature of zig-zagging upward and downward in their flight, from the earth to the heavenly roof of the world. Fading is another great problem. We have found that fading does not occur simultaneously at all points, even within limited areas, that when a radio signal fades at one spot it may become stronger in others. Hence to overcome this common nuisance of short-wave transmission we employ several antennas set up at various points of the compass. We have perfected a very delicate apparatus for picking up the signals from these several antennas, blending and synchronizing them in such a way as to attain and maintain an even balance of volume so that the energy can be rebroadcast to you on a smooth and pleasing level.

These high frequencies (for short waves) are susceptible to many mysterious interfering influences: sun-spots, magnetic storms, lunar phases, the angle of the solar rays, times of sunrise and sunset, and other known and unknown cosmic forces. By keeping daily records of these influences, and preparing charts to show the optimum times of the day and of the year when different wave channels give the best service, we are learning to overcome many of these obstacles. The British Broadcasting Corporation, the German Broadcasting Company, and the N. Y. Philis Company of Holland have co-operated with us in accumulating this data. We have also had the aid of the General Electric Company and the Westinghouse Companies in this work. The National Broadcasting Company has been the clearing house for this information. We are continuously accumulating data, compiling, correlating, tabulating and cataloging the information, and preparing charts that show the curves of variability. Depending upon the time of the day and year, the conditions of the weather and various celestial influences, this or that wave channel is used.

### Ive Short Wave Stations

We command the use of five NBC and associate short wave receiving and transmitting centers: Bound Brook, N. J., with one transmitter; Chicago, with one; Pittsburgh, with four; Schenectady, N. Y., with three, and Springfield, Mass., with one. In addition to these, the circuits of the Radio Corporation of America, Inc., and the trans-Atlantic telephone toll circuits of the American Telephone and Telegraph Company are used in contacting foreign countries.

A program having been scheduled for a certain day and time, the engineers determine which frequency is most suitable for the station which is to receive the broadcast, and the sending station is so notified. As the transmitters are in almost constant operation, the receiving station is enabled to keep a running test on the signals and know pretty much what to expect. Sometimes two or more transmitters are used for a single program in order to assure success.

The program being picked up (which may or may not be rebroadcast regularly on domestic broadcasting stations) is fed to the proper short wave sending station and transmitted. From this point on, the matter devolves upon the receiving station to pick up the signals and by means of wire lines these are fed to our central control board. The program is then fed into the network and distributed in the usual manner to the broadcasting stations for rebroadcasting to you.

When using the RCA communications circuits, the program is picked up by their receiving stations and brought by wire to our central control board for distribution in like manner. The RCA station at Rocky Point, Long Island, N. Y., is in regular communication with European and South American countries. Its station at Bolinas, just north of San Francisco, maintains direct contact with Hawaii, the Philippines, Japan, Australia and other Far Eastern centers.

While there were frequent transmissions of international programs during the experimental days of short waves, these were usually of a test nature. NBC was the first to inaugurate a regular schedule of international service.

One by one we have been ironing out the wrinkles in the short waves, improving equipment, eliminating or minimizing those factors which have obstructed our way. Already we have rebroadcast programs from Argentina, Austria, Australia, Belgium, Brazil, Chile, Cuba, England, France, Germany, Hawaii, Holland, Hungary, Italy, Japan, the Philippines, Poland, Spain, Sweden, Switzerland, Uruguay, Venezuela, Yugoslavia, New Zealand, Norway, the Vatican State, from ships on and under the sea, and from ships in the

NBC and its associated stations are well equipped with both transmitting and receiving stations which are in active operation. It is a rather simple matter to add new countries to the list. Gradually additional circuits are being established, and within another few years practically every point on the globe will be brought within the range of your receiving set.

## 10 TONS OF MUSIC IN THE NBC LIBRARY

By THOMAS H. BELVISO

(Director of Music Library, Research and Music Rights Dept. for NBC)

Those Europeans who in the past have so freely criticized us for "commercializing art"—and who are now beginning to marvel at the results—merely forgot one of their history lessons. With the National Broadcasting Company's music library would refresh their memory.

Art is an orchidaceous parasite. Seldom has it thrived in the soil. It has attained its fullest flowering only when able to attach itself to a prosperous people and nourish itself on the flow of golden age.

Libraries are usually considered to be benefactors, the mark the progress of a culture, but rather are they products of that culture. And radio has been directly responsible for amassing one of the greatest libraries of music ever assembled. I refer to the music library of the National Broadcasting Company which, without question, is the most extensive working library of music in the world. And this great library came into existence not through some altruistic whim or philanthropic ambition but to serve a business necessity.

### 35,000 Musical Programs

Figures are convincing. Last year more than 35,000 programs were broadcast from the New York studios of NBC. At least 27,000 of these were musical or of a musical nature. Such programs average eight different numbers, which make 250,000 selections broadcast during one year. This does not include the auditions conducted daily. Quite conservatively this would raise that figure another 100,000. This is a lot of music. Ten tons of music.

While it is true that many artists bring and use their own music for audition and performance, experience has taught us to be prepared for emergencies. There can be no holes in programs, no excuses. The music library must be prepared to cooperate and assist on all commercial and sustaining programs alike. It is a part of call at all hours.

"Do you have such-and-such a song in such-and-such a key?" "Thus the score and parts of Rimsky-Korsakov's "Flight of the Bumblebee" to Studio X at once." "My piano program is one minute short. Can you lend me Chopin's "Minute Waltz"?" "Let me have a male quartet arrangement of "Old Black Joe" or "an arrangement for treble solo."

These are a sample of the demands that rain upon the music library daily. This library is carefully catalogued and accurately cross-indexed as to title, composer, content, character, etc. We also have our own bindery for reprinting worn music and properly preserving new. We have our own arranging and copying department and another important function of the library staff is to check over each program not only to avoid conflicting repetitions of a number but also to determine whether it is free of copyright or performing fees, and if it is not to obtain such permission or arrange otherwise.

Altogether 50 persons are employed in the music library. Among these is one man whose sole duty it is to purchase new music. He spends seven hours a day digging out the unusual things which we are called upon supply, or shopping abroad, to keep us up with the latest publications.

Assuredly we may have "commercialized art" in this country but in so doing we have laid the foundation for an "American Renaissance." This library is just one of the many evidences that can be offered in proof.

### HAROLD FAIR BACK HOME

Omaha, Dec. Commercial staff at KOIL has added Harold Fair, formerly with the station four or five years ago.

In interim Fair has worked at WBBM and was manager at WBBM, Buffalo. Fair is a native of Chicago and will do most of his work there.

lugs

Dec. 31.

A. C. Ark's Plug goes on NBO next week set through the Campbell-Ewald agency. On the red web for 30 minutes each Saturday at 8 p.m.

Programs for Dec. 31. King and his Ku-Ku.

### Radio Showmanship

(Continued from page 57)

revive its outstanding shows. Of course this has been done in isolated cases but has never been widely considered.

Radio showmanship has made successful of many a long-stirled profit for the theatre itself. Only radio could popularize programs such as the WLS Barn Dance and the Corn Cob Pipe Club of Edgeworth Tobacco (Larus), although after radio develops an audience such attractions are often good mining for theatrical managers. Radio can also aim at and reach a strata of the population

comparatively inaccessible to other forms of amusement. It is now an old story about Ben Hur, the radio hokum king of thousands of devout and pious souls many of whom never have entered a theatre in their lives.

Steady advancement of radio showmanship doesn't mean there isn't plenty of room for further innovation. But only quality is in any highbrow or literary sense is not and will not be a goal. Big budgets are to reach big audiences not minorities.

There have been indications that radio itself has lifted the general level of discrimination in art. This may and rather than the

tiously never turn on their radios make a point of classifying the radio to the lowest form of Americanism. Certainly the ready object for satire and ridicule. Yet radio has brought to the home a fair grade of entertainment and enlightenment in spite of all the floundering.

Decline of certain former favorites, may prove they were engulfed in a rising tide of radio-educated popular discrimination that once would accept what presently it snubs. After all, the public in Keokuk and Kalamazoo are susceptible to inoculation and after a diet of the best they, too, find it much harder to return to their simpler tastes.

# Building An Air-Castle

By O. B. Hanson

(Manager of NBC Technical Operations and Engineering)

It would be quite in keeping with what follows to begin this with "Once upon a time," for the National Broadcasting Company's new home in Radio City is quite as fabulous as any palace ever described by Grimm or Lang.

Ten stories, 400,000 square feet of floor space, built especially for radio broadcasting, filled with the most complicated devices, the newest and most improved of their kind—a "world center," what takes place within these walls is heard "round the world."

Rockefeller Center is a cultural and entertainment center of unsurpassed size, beauty and grandeur, occupying three New York City blocks, from 48th to 51st streets, and extending from Fifth to Sixth avenues. Rising to a height of 70 stories 348 feet, in the midst of this community stands the Central Tower of Radio City, the RCA building. In this is housed the studios, offices and equipment of the National Broadcasting Company.

What seemed spacious accommodations when started but seven years ago had become uncomfortably cramped. At 711 Fifth avenue we had 10 studios—but for every hour of broadcasting there is now an average of seven hours of rehearsal and there must be time to clear studios and to prepare them for the next. There are at least two programs being broadcast simultaneously in our studios from 8 a.m. to 1 a.m., 365 days in the year. Frequently we broadcast programs of purely metropolitan concern, of no interest to the stations outside our two networks. This means that occasionally we are called upon to broadcast as many as four programs simultaneously. Studios also are demanded for auditions. Yet 10 studios had become too few. Gladly we welcomed the opportunity to expand, especially since this included the opportunity to build just what we required, instead of fitting ourselves into a structure already built.

## Anticipating Plans

The planning of our new headquarters proceeded along four lines: First, designing and constructing that which would be required comfortably, but on particular needs, present and future, to the extent that we may be able to anticipate these latter; second, designing and installing the special mechanism and equipment required for our extensive broadcasting, including the existing studios and other parts of the building in accordance with acoustical requirements for broadcasting, and the lighting and decorating of these interiors in ways that would not conflict therewith; and, fourth, to provide a heating and ventilating system that would serve the peculiar conditions created by acoustical necessity. These four departments of planning dovetailed in such a way that concurrent co-operation was a necessity.

It is quite obvious that the wide actual acoustical studio construction, 35 studios, discouraged any attempt to superimpose a 70-story tower above them. Accordingly one section of the Central Tower building was roofed at the 11th story, and in this section are housed our actual broadcasting studios, studios, equipment, both broadcasting and re-conditioning, accommodations for performers, guests and broadcasting staff. Four entire floors of the Central Tower are used to house our executive, departmental and clerical offices.

Experience has taught us that we needed studios of various sizes for various types of programs, studios both large and small. Certain of these studios would be used for many different kinds of programs. Such must be provided with adjustable acoustical treatment, different instruments, and different groups of each and both require their own individual acoustical background.

Let me explain what is meant by "acoustical problems." Ours were of two kinds. We must prevent sounds leaking out of studios and interfering with other broadcasts and general business activities, and we must control the sound kept within the studio. The first is a problem of sound insulation, the second one of sound manipulation.

As sound hits a wall a portion of it is reflected back, some of it is absorbed by the partition, and the remainder is transmitted through to the other side. Sound will leak out through keyholes,

through door cracks, along steel construction girders. It will escape in various ways and cause all sorts of annoyance. In order to overcome this we built our studios like thermos bottles, bottles within bottles, and doubly corked and two sound insulating doors separated by an airtight chamber.

Our studios are actually rooms within rooms, suspended above the building floors on steel springs padded with felt-concrete floors, covered with linoleum, floating in space. The walls and ceilings of these floating rooms are constructed of special fireproof sound insulating material—several inches of rock wool, with the interior walls and ceiling of an asbestos-like board material that is perforated in a way that resembles a porous plaster.

## Observation Galleries

All studios have adjoining control rooms, and most of them also have clients' booths and observation galleries from which guests may see and hear (through loudspeakers) what is taking place within the studio. All windows looking into studios from such anterooms are made of three different thicknesses of a special quality of plate glass. Most of these panes are too large to be conveniently removed for cleaning, hence, the two intervening panes are switched out occasionally sealed. As atmospheric changes occur within the studios the barometric pressure on these glass surfaces changes—several tons on some of these large windows. To safeguard against inevitable breakage under such conditions a system of pressure equalizing air tubes was designed and installed. These tubes are equipped with fine air filters which prevent admission of dust or dirt particles. Thus the air-pressure inside of these hermetically sealed glass anterooms is automatically compensated. Since in making our studios soundtight we were obliged to make them airtight, some special system of heating and ventilating had to be devised in order to make continuous broadcasting humanly possible. Our mammoth air conditioning plant took in 30,000 cubic feet of air into our establishment hourly.

Programs vary in type considerably: Different instrumental ensembles, different size groups, different voices, speaking voices, singing voices, different instrumental qualities and of different intensities, etc., each of which requires its own degree of resonance support, its individual acoustical setting. To meet these requirements studios have been provided in great number, varying in size from the Grand Auditorium Studio, 75 feet by 132 feet and three stories high, down to the little studios designed solely for an individual speaker. Each has its acoustic treatment so applied to walls and ceilings as to prevent the best acoustical background for the broadcast.

Certain of these studios designed to accommodate general and therefore widely varied types of broadcasting are so equipped that the reverberations or resonance can be altered at the will of the engineer by changing the amount of reflection in the adjacent control room. This, in part, is accomplished by acoustic panels mounted on overhead tracks around studio walls, controlled by small electric motors. When these panels are slid into wall pockets they expose a hard plaster surface which reflects sound, increasing the resonance of the room. These exposed plaster surfaces are not flat but "corrugated" in wide, shallow, wavy surfaces that deflect rather than reflect sound waves, dispersing sound in such a way as to prevent the formation of "dead spots."

In the construction and decorating of our studios we have used 500,000 pounds (11 carloads) of rockwool; 153,000 square feet of that asbestos-like perforated wall and ceiling board; 5,500 square feet of plate glass; 175,000 linear feet (4½ carloads) of fine woods for panelings, etc., 15 different kinds; 24,800-square yards of textile fabrics for wall and ceiling coverings. More than 6,000 textile samples were examined for this use. Each was subjected to rigid acoustical tests with the result that 95% of the fabrics actually chosen were woven to specification both as to material and weave, color and design.

A separate volume could be written about the special mechanical

equipment designed and installed for picking programs out of studios and sending them out through space for your interest and entertainment. This, of course, is the very latest and most improved broadcasting equipment yet devised by radio science.

Starting studios where programs originate, we will use the most improved condenser microphones and the new high fidelity "ribbon" microphones. In our 35 studios we will have 250 microphone outlets. The sound waves, now converted into electrical energy, pass through a maze of wires, tubes and electrical apparatus, too complicated to describe herein, nursed along in those various ways necessary, and then shot into that intricate make of wires that represent our two networks, carrying this electrical energy to your local broadcasting stations where it is sent out to be picked up by the aerial of your own receiving set and reconverted into sound as it pours through your loud speaker.

For this magical conglomeration of apparatus we used 1,250 miles of wire, just 10 times as much as the miles of cable, some of it containing 40-wire strands, some 20, and some 10. These were cut in lengths varying from a few inches to stretches of 400 feet. It is estimated that these miles and miles of wire were cut into 10,000 pieces, necessitating 30,000,000 wire connections. We employed 600 specially trained electricians working two shifts a day to complete this installation.

With this new equipment we can present multiple point programs, switching you forth to 10 different broadcasting points and keeping each point constantly informed as to what is taking place at the other nine points.

Each executive office, and the offices of those whose business it is to keep the central control room broadcasting activities, is equipped with a loud speaker operated through a dial control similar to a dial telephone, making it possible for each of these loud speakers to contact 42 different programs, news, sales, broadcast, and special long distance short-wave program that may be piped into our system by the central control board. Our offices have been wired in such a way that one may cut into the floor within two feet of any given point and locate wires that contain monitor wires, telephone or light wires.

The central control of this system is located on the fifth floor, midway between our several floors of broadcasting studios. An observation gallery permits visitors to view the central control room, the governors and registers the activities of radio's magic wand.

There is also an observation gallery from which visitors may view the central control board of our air conditioning plant on the 10th floor. This plant controls the thermal and humidity conditions of the entire building. Dials indicate and register the variations of temperature and humidity in each studio and different sections of our building, and these are automatically rectified and controlled by a thermostatic device.

Television? We have tried to anticipate its advent. We have laid a special and separate system of cables from studios to our central control plant, not knowing when or in what guise television will make its appearance. This, however, we do know: television will require light, a super-abundance of light, and we have provided for this in our specially devised lighting system. All lights are imbedded in the ceilings of studios and along the walls of corridors. These are covered and controlled by a scientific method of scattering light, diffuses this flood of light in such a way as to eliminate shadow. If and when necessary we can further supplement this normal lighting system with a system of flood and spotlights.

One day of studios, too, was designed with television in mind. Four studios are built around one control room, the control apparatus of which is built on a circular track, making it possible to pick up sight or sound from one studio and switch immediately to the next, allowing for change of scene, with the result in the meantime this set of studios will conveniently serve those radio programs which present a variety of features. These are certain to be one of the central points of interest to visitors.

Radio is bringing you a "Thousand and One Nights" entertainment every 15 years. This is merely a brief synopsis of the million and one stories that could be told about building and equipping NBC's new headquarters.

# Broadcast Merchandising

By E. P. H. James

(Sales Promotion Manager of N. B. C.)

The merchandising of radio programs is concentrated into two broad divisions—audience promotion and follow-up, and promotion to the distributing organization. Roughly speaking, the first division might be called "external merchandising" and the second division "internal merchandising."

Audience promotion is the more obvious of the two phases, since merchandising to the trade is largely carried out behind the scenes. But this fact does not make trade merchandising less essential. Most advertisers now realize this. It has been demonstrated beyond doubt that of all media, broadcast advertising exerts the most profound effect on dealers and salesmen. It is comparatively easy to entice them, and get them behind a product, when it is advertised on the radio—provided they can be made to feel that they have the inside story, know exactly what the radio plan is and what it proposes to do.

There is no particular mystery or difficulty in presenting the radio story to salesmen, jobbers and dealers. They are unusually receptive to broadcast advertising. There are certain essentials which have to be covered, of course, including reasonably informative details about the program and its appeal to potential customers, selling facts regarding the station or network which is to carry the program, including an estimate of the density and scope of the audience which it is expected to reach, and clear information on the time and day of the program. All of the above may be enlarged upon and embellished with pictures, maps and so forth.

We must not throw away the advantage that radio gives us, and we also need ideas and originality. It is obvious that if dealers are continually bombarded with radio portfolios and broadsides which are at the same time, they will eventually lose interest. Fortunately, radio usually permits the telling of a human-interest story in line with the bare business facts. Cut-and-dried pamphlets, portfolios, booklets or broadsides are expected to do this job properly. The personality, or human-interest, angle must be stressed, followed by a clearest story showing how the entertainment features are planned to draw and hold the audience while the sales story drives home the product.

Merchandising to listeners embraces, first, audience building through spotlight advertising in newspaper radio pages or tie-in paragraphs inserted in regular magazines and newspaper advertising. Secondly, audience follow-up, which of recent years has revolved around clearing house offers of contests. This has been in line with the increase in premium advertising generally, but has been particularly identified with radio because of the enormous responses secured from listeners.

In the last year or two there has been a decided swing toward hard-hitting merchandising over the air. During the first seven months of 1933, 64% of the advertisers on the air over NBC made some kind of direct bid for listener response. Offerings included booklets, sample products, jig-saw puzzles, comic masks, toys, kitchen utensils, and gadgets of every description.

Specifically, 98 NBC clients made 178 offers, from last Jan. 1 to Aug. 1. Here are the percentages:

	Percent
Novelties .....	.....
Samples .....	.....
Booklets .....	23
Contests .....	27
Analysis of the novelties:	
Jig-saw puzzles .....	8
Masks .....	1%
From time to time .....	2%
Photographs .....	3%
Maps .....	2
Misc. (mugs, purses, pouches, badges, cut-outs, etc.)	.....

Radio has made the most of many recent opportunities to prove its effectiveness to advertisers in the form of large-volume requests for listeners for novelties offered. Since most requests are accompanied by "checkable" forms, letters or other proof of purchase, this particular form of merchandising has encouraged many an advertiser to continue his radio expenditures on the basis of traceable results.

## Jig-Saw Puzzles

Years ago the crossword puzzle made radio merchandising history by producing hundreds of thousands of replies for broadcast advertisers.

History repeats itself with a vengeance in the case of the jig-saw puzzle.

The entrance of the jig-saw puzzle upon the premium scene came in 1932 in a big way. In the first three months of 1933, 10 jig-saw puzzles were offered on 10 different NBC programs, representing 12% of the total offers. Requests for these puzzles during the height of the craze ran into millions. One client alone received over 500,000 requests. Another distributed more than 4,000,000 via the air and the dealer.

## Samplers

Reviewing the sample offers of NBC clients for the first seven months of 1933, we find that 19 NBC clients had made 20 offers of which 10% were free and the other 40% had restrictions attached. It may be noted that the majority of the sample offers last the length of the program contract, a decided difference from the novelty offer usually made for a limited period.

## Booklets

At no time since we have been keeping merchandising records have as many booklets offers been made as during this year's month period. During the first three months of 1933 seven booklets were offered, but this figure jumped to 40 in the course of the next four months.

## Contests

There were 37 contests conducted over NBC networks throughout the 12 months ending Dec. 31, 1933. For the seven months ending Aug. 1, 1934, 45 contests were listed, some clients sponsoring as many as six or eight contests during this period. While these contests varied considerably in general nature, there was a noticeable swing toward the idea of giving some type of premium to each and every entrant. For the contents of 15 contests to offer more small prizes, instead of a few big ones, thereby assuring additional good will, and cutting down the number of dissatisfied losers.

## Children's Programs

Checking the roster of NBC commercial programs for the first seven months of 1933, we find that 15 were aimed at children, and on each of these programs prizes were listed, some made, indicating that sponsors of children's programs are agreed 100% on the idea of giveaways.

But in spite of their great interest these novelty offers and contests are only a small part of the merchandising job that should be done to make a radio program 100% productive. Direct response from listeners is important, but the effect of radio on dealers and sales clerks is too great to be ignored. No broadcast advertiser is getting the most out of his broadcast expenditure unless he sells the campaign to his sales and distributing organizations, to jobbers, retail dealers, or house-to-house canvassers. We are glad to say that it is now the exception rather than the rule for any advertiser to go on the air without giving his salesmen and dealers a good advance story. A whole new era has begun in the promotion department as it turned loose to cash in on the radio programs of at least 75% of NBC sponsor.

## Film Adjunct

Some advertisers, notably Standard Brands, have made commercial films, which draw heavily upon their radio programs as interest-getters, in presenting a complete advertising plan to dealers. General Foods has recently made a picture of the Maxwell House Showboat program, for public consumption, and it is more than likely that others will follow suit.

Experience has taught radio advertisers, the results to be expected from this type of program with their other advertising. They have found increased enthusiasm and co-operation from employees, salesmen and dealers. With "point of purchase" radio reminders, in the form of window strips, counter cards and other store displays, they have bridged the gap between the time of the broadcast and the moment when the consumer is at the sales counter.

NBC considers merchandising important enough to maintain a special service staff to work up ideas from the radio and make the picture of the ideas used successfully by clients on the air. Merchandising is an important unit in the broadcast advertising picture, and this fact is getting wider recognition all the time.



*Season's Greetings*

FROM

**MRS. GERTRUDE (MOLLY) BERG**

AND THE

**GOLDBERGS****CONGRATULATIONS**

TO

**M. H. AYLESWORTH**

AND

**THE NATIONAL  
BROADCASTING COMPANY**

on Their Seventh Anniversary

Seven years is a long time in radio. You have certainly made the most of them in the interests of your audience, your clients and your stations.

**WSM**

The National Life and Accident Insurance Company, Inc.  
NASHVILLE, TENN.

**WLS**

The Boys and Girls of Radio  
Station WLS and The Na-  
tional Barn Dance wish a  
Happy New Year to all their  
friends, and hope it will be  
the finest ever.

**WLS**

**THE PRAIRIE FARMER STATION**  
CHICAGO

THE WHOLE WORLD IS LEARNING ABOUT THE

**WLS MERRY-GO-ROUND CREW**

**JOHN LAIR — CARL DAVIS — HARDY TAYLOR — SLIM MILLER — RED FOLEY — LINDA PARKER**  
**LULU BELL — EDDIE ALLEN — SPARERIBS — SUE AND SALLY**

MAKING MONEY FOR THE THEATRE OWNERS AND ENTERTAINING THE PUBLIC  
FOR DATES WRITE RADIO STATION WLS CHICAGO, ILL.

**LUCKY  
STRIKE**

**WEAF**  
Sat., 9 P. M.

ED SMALLE Presents

**THE LEADERS****DICK BALLOU****ED ELLINGSON****GLENN CROSS**

**LINIT, Sun., 9 P. M.**  
**WABC**

**Mon., Tues., 11 P. M.**  
**WJZ**



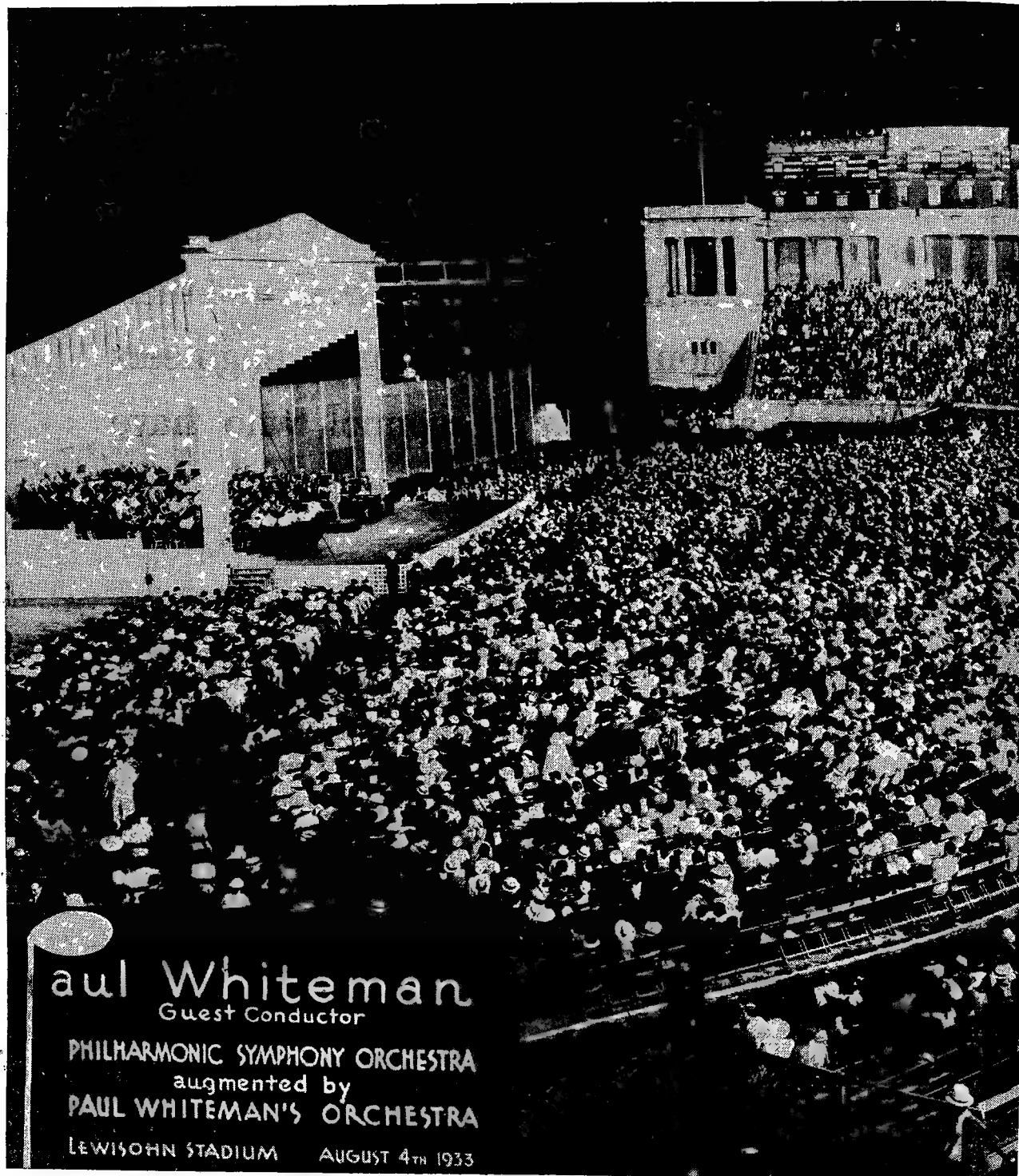
EXTEND my deepest appreciation not only to N. B. C. and their production and control men, engineers and all of their personnel who have helped broadcast our programs.

*but also*

To: Standard Brands, for their continued faith in me— To: John Reber and the radio staff of the J. Walter Thompson Company for their invaluable aid, friendship and psychological help— To: Every Radio Station, large or small, which at any time carried our programs— To: All the fine artists who, over some four years contributed their artistry to the success of our broadcasts— To: The music publishers, their contact men, writers, composers and arrangers who have given us the songs we play and sing— To: My boys and my office staff, who have worked with me to continued success— To: Our listeners—in, who have been patient, loyal, and, I hope, somewhat entertained.

Microphonically;

*Rudy Vallée*



Paul Whiteman  
Guest Conductor

PHILHARMONIC SYMPHONY ORCHESTRA  
augmented by  
PAUL WHITEMAN'S ORCHESTRA

LEWISOHN STADIUM AUGUST 4TH 1933

**OUR LOVE AND APPRE**



**THANKS TO**

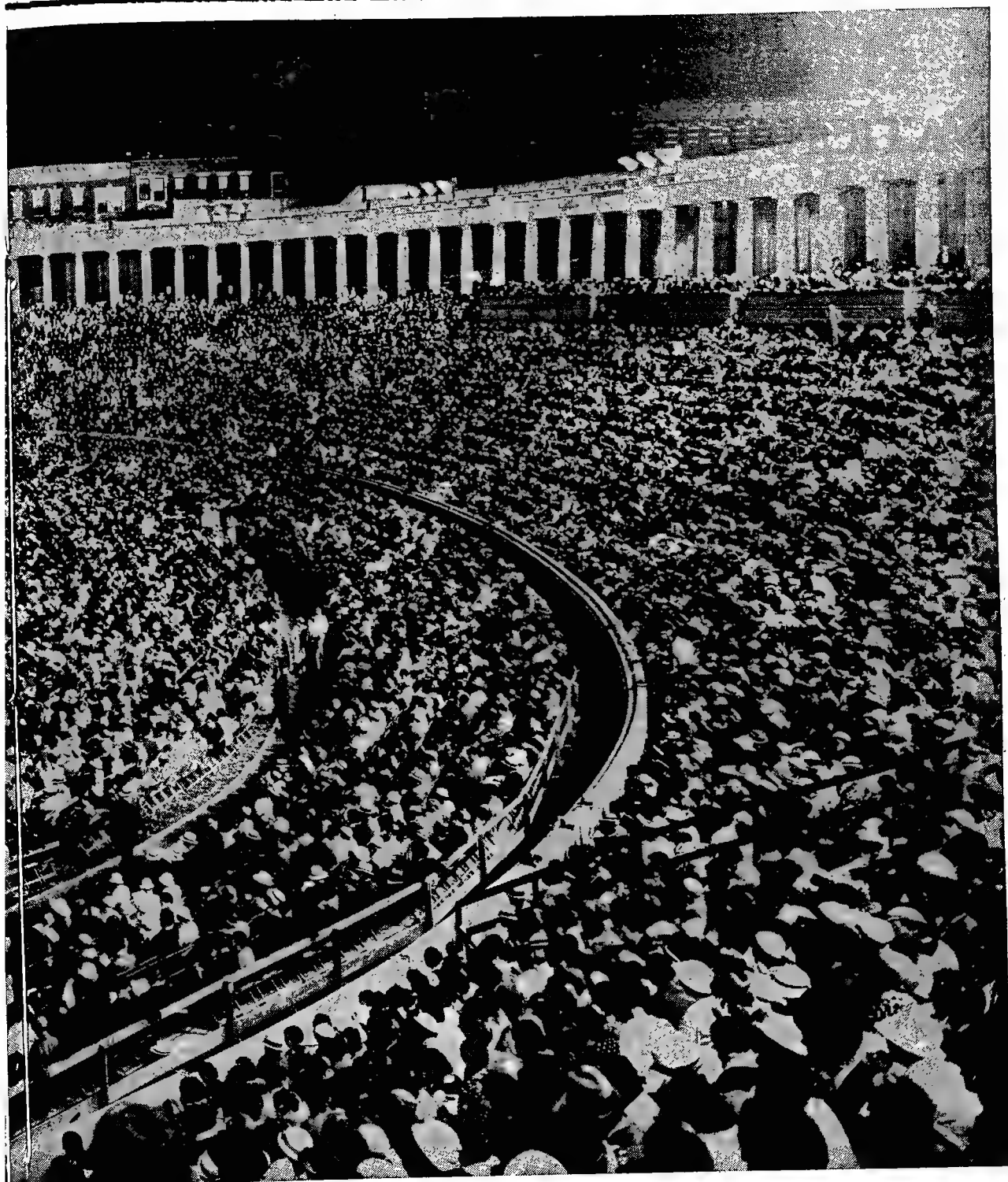
THE KRAFT PHENIX CHEESE CORP.  
THE J. WALTER THOMPSON CO.  
MR. JOHN U. REBER

*Personal Direction*

**NBC COAST-TO-COAST NETWORK**

Artists' Management Bureau, Inc





**ASSOCIATION TO MIKE SHEA**

**BILTMORE HOTEL, NEW YORK**

COMMENCING ONE-YEAR ENGAGEMENT JANUARY 4



JACK LAVIN

Park Central Hotel, New York

**VICTOR RECORDS**

# Young & Rubicam

## presents:



### THE BYRD SOUTH POLE EXPEDITION

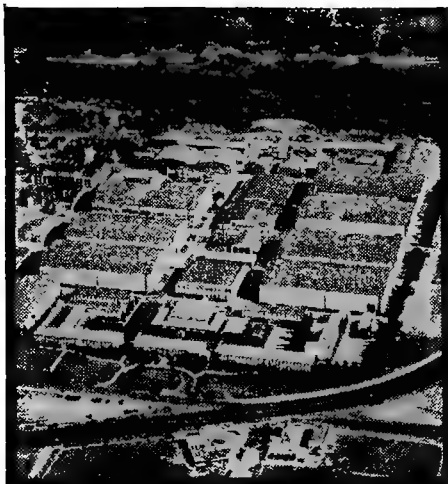
The greatest adventure of the modern world becomes the greatest adventure in radio. The actual experiences of the Byrd expedition broadcast from the South Pole by the men down there. For Grape-Nuts.

*A Young & Rubicam Radio Show*



**THE WIZARD OF OZ**—The first children's fantasy—hailed by press and public alike because it is high adventure without being "Blood and Thunder." Gets a bow from the grown-ups who like it, too! For Jell-O.

*A Young & Rubicam Radio Show*



**Coming Soon—45 MINUTES IN HOLLYWOOD.** Stars, movie news, interviews, pre-views, music—all the fascinating glamour of the world's moving picture capital, in a sparkling three-quarters of an hour, once a week. For The Borden Company.

*A Young & Rubicam Radio Show*



*What Broke up this Happy Romance?*

**Coming Soon**—The greatest of all the "lovelorn" columnists, presenting gripping dramas, romances and tragedies from the hearts of America's millions. Product and name of program cannot be announced until later.

*A Young & Rubicam Radio Show*



**ALBERT SPALDING**—The first great instrumental ever featured in a weekly series of commercial programs. A superb genius, playing the music that the man in the street can understand. For Fletcher's Castoria.

*A Young & Rubicam Radio Show*



**LEO REISMAN AND THE YACHT CLUB BOYS**—Radio's smoothest dance music and Broadway's sauciest songs blended in one of the gayest, most popular Saturday evening half-hours. For None Such Mince Meat.

*A Young & Rubicam Radio Show*





"There is nothing  
finer than a  
Stromberg-Carlson"

# WHAM

at Rochester (a 5000  
watts) owned and op-  
erated by Stromberg-  
Carlson. The most  
powerful station in  
a prosperous area of  
160,000 square miles.



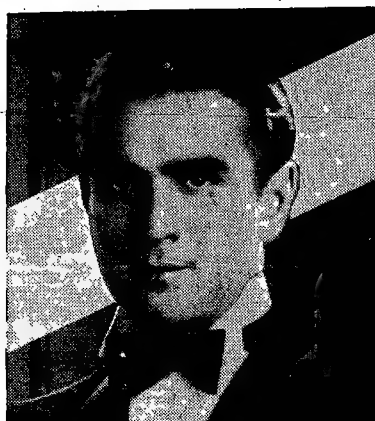
**T**HIS Radio and Automatic Phonograph is a seven-octave reproducer that will make you feel you are actually present in the new Radio City Studios on all future broadcasts. It will also bring you new joys in the reproduction of programs of your own choosing from records. When Te-lek-tor equipped, it may be remotely controlled from your arm chair or bedside. Our masterpiece.

STROMBERG-CARLSON TELEPHONE MFG. CO., ROCHESTER, N. Y.



# HENRY KING

BRUNSWICK  
RECORDS



AND HIS

HOTEL PIERRE  
ORCHESTRA  
NEW YORK

BROADCASTING  
Mon., Wed., Fri., NBC

## SEASON'S GREETINGS

Personal Management IRVING MILLS 799 Seventh Ave., New York City

NBC's Romantic Tenor

**The POET PRINCE**  
Anthony Frome

WJZ  
11:15 P. M. EST

Coast to Coast

Direct From Radio City  
Music Hall Studios  
Mon., Tues., Wed., Thurs.

Radio's Outstanding  
Character Artist

**TEDDY BERGMAN**

Appearing as  
"BLUBBER"

ON  
VAN HEUSEN

"RUBINOFF"

ON  
CANTOR SHOW

Featured with BERT LAHR  
Also Created  
**JOE PALOOKA** and  
Many Other Characterizations

Radio's Foremost Trio

**THREE X SISTERS**

PEARL, VI and JESSIE

NBC NETWORK and  
Headline Attraction  
In Theatres Everywhere

Featured on Tydol,  
FORD Show, BEST Foods  
Etc.

IN PREPARATION  
**X Girls in University X**  
WJZ, Mon. and Fri., 6:30 P. M.

Comedy Stars of  
Maxwell House Showboat

**MOLASSES 'N'  
JANUARY**

Will Be Featured in  
**PICK and PAT**  
Variety Minstrels

A 1-HOUR DIVERSIFIED  
SHOW WITH MANY  
UNUSUAL FEATURES  
NOW IN PREPARATION

Radio's First Lady

**VAUGHN DE LEATH**

Now Ready for Showing  
"Savannah Hannah"

for Melody Circle  
ical Dramalogues

FEATURED  
As the Original  
Firestone Girl  
WRIGLEY-GOODYEAR-  
GOODRICH and Many Others

A New Star Is Born

★ **LITTLE** ★  
**MARY SMALL**  
The Small Girl  
With the Big Voice  
OVERNIGHT  
SENSATION  
ON

**VALLEE HOUR**

Starred on Ford Show  
Also Terraplane with  
B. A. Rolfe  
Los Angeles Examiner says:  
"Astounding, 11 years old. How  
her talent was not revealed be-  
fore is a mystery."

Personal Management—**ED. WOLF**—1450 Broadway, New York City—Tel. CHickering 4-7722

HIGH-CLASS GREETINGS FROM

# RAY PERKINS

Personal Management  
SEDLEY BROWN  
Rockefeller Centre, New York

At Home Occasionally  
N. X. C. HANGOUT  
The Barbizon-Plaza

SEASON'S GREETINGS

**L. WOLFE GILBERT**

Collaborates with

**EDDIE CANTOR**

on His Sunday

CHASE & SANBORN BROADCASTS

"Variety," Nov. 21, said:  
"Sunday Nights was the first-  
script turned out by L. Wolfe  
Gilbert. For an introduction,  
was hefty to Gilbert's  
credit."

After an absence of several  
months from the air Eddie  
Cantor returns, and in three  
weeks, with Cantor-Gilbert  
scripts, is number "One"  
the air.

THE WHOLE WORLD WILL LEARN ABOUT THE

*Roundup of the Barn Dance Stars*

**GENE AUTRY JIMMY LONG ROY WESTON MAX TERHUNE GIRLS OF GOLDEN WEST**  
**PRAIRIE RAMBLERS - PATSY MONTANA - OLIF, THE SWEDE THE STRANGER**

Just Started on Tour and Doing the Same Business as the BARN DANCE Did

FOR DATES WRITE RADIO STATION WLS

CHICAGO, ILL.

# Happy Birthday

**TO ALL YOUSE GUYS**

*from*  
**BEN BERNIE AND ALL  
THE LADS**

*and*  
**THE ALMA MALTA  
PABST BLUE RIBBON BEER**

*and*  
**GOOD  
OLD BLUE RIBBON MALT**



# THE YEAR IN MUSIC

By Abel Green

Tin Pan Alley saw its turning point in 1933 as did other industries. For the axiom of the pop music field that the times directly govern music sales was manifested with the turn in the country's economic conditions. The Roosevelt administration heeded the music publisher although the accepted normal standards of the past are still very remote.

However, where a hit tune was accepted on the basis of the 200,000 mark, there have been quite a few 400,000 clickers the past year, proving that the accepted parity was fully 100% improved. But considering the 500,000 and 1,000,000 copy hits of yesterday, before and after radio, 400,000 is still far from satisfactory.

Result has been that the music publisher, more than ever, figures his business on the number of copies sold over gross rather than the number of copies per song. The songwriter, in such scheme of things, literally is left holding the bag and through nobody's fault save that ole deblit conditions.

Where a publisher may figure to operate within a certain range, by selling so many copies from day to day, this does the songwriter little good if it means that 200 copies of that song, 60 of another, 50 of another, etc., makes up the publisher's income. The individual songwriter cannot prosper with these sporadic sales. Hence, more than ever, he is left to the lot of the composer, to operate on similar lines, i.e., get as many songs on the market for the double purpose of collecting royalties in dribs and drabs from divers sources, and also for the purpose of maintaining high rating in the American Society of Composers, Authors and Publishers.

Also more than ever the ASCAP became the financial fountain-head of the business, directly affecting the economic destinies of both writer and publisher. And with this intensified application of thought to the Society income there came about renewed and embittered opposition from the union of copyrighted music. Not only have the old 'music trust' charges been revived and recrystallized in sundry legal, institutional campaigns and would-be legislative attacks on the ASCAP, but from within the music business has much dissension cropped up.

## Royalty Bickery

When it comes to cutting up a melon of any particularly large size into 2,000,000 annually, no one seems entirely satisfied. The top-split collectors feel they're entitled to more; the lesser-income recipients want more. Which has led to additional intra-Tin Pan Alley hand feeling over previous years.

This culminated first in a double-A classification being formed to include Feist, Berlin, and Harms. What happened? Witmark, with a flock of hits riding, and citing Victor Herbert, Ernest R. Ball and kindred catalogs as background, wanted a similar arrangement. And so on down the line. A class CC publisher wanted B money; a double-B wanted A royalty, etc. This eventuated in still another classification being formed—AAA. Harms, Inc., alone fell into that niche and AA went for Feist, Berlin, Robbins and Witmark.

Amidst this intense wrangling over royalty demands Joe Morris, E. B. Marks, Sam Fox and Robbins filed petitions with ASCAP or started suits for reclassification. Robbins, while in A, had been demoted to C when a question over the proper assignment of the Goldwyn-Mayer song copyrights arose. Robbins is 51%-owned by Metro, and everything is copyrighted in MGM's name, and then assigned to Robbins Music Corp. Pending an adjustment of these legal technicalities two quarterly periods slipped by and Metro-Robbins received minor C money, hence a suit for reimbursement although this firm was subsequently upped to A again and later to AA.

By virtue of 'In the Valley of the Moon', and kindred homely songs which somehow managed to stay on for a long time and reach the rare 400,000 copy mark, Joe Morris sawed about his C classification. Ditto Marks who cited his thousands of standard music copyrights in evidence of the value of the Marks catalog for broadcast purposes. Ditto, too, Sam Fox who, through Fox Film and other cinematic affiliations, wanted a better royalty dividend. Julian T. Abeles

was retained variously as counsel by all of these protestants and the latest evolution is a proposed legal attack on the constitution and board of governors of the ASCAP.

The annual dinner of the Society early in '33 made much of the self-perpetuating board of the ASCAP and Edgar F. Bitner, head of Leo Feist, Inc., who has long been a diligent and loyal champion of the Society's woes, took umbrage at some of the writer-members' captiousness to the extent of resigning his position on the board. Jack Robbins ultimately succeeded him.

This seemingly undue stressing of the Society results from the industry's own attitude concerning the Society—is the money source of much that makes the business possible.

In line with the general idea of economic retrenchment, the Music Dealers' Service, Inc., after much pro and con as to its practicability, seems to be popularly accepted as the good thing for the business. MDS is the central shipping outlet for most of the popular publishers with a number of exceptions, notably Robbins. (It will be noticed that the Robbins firm has been a stormy petrel in several industry matters in preferring a lone-wolf attitude with that one firm and has contributed in more than one way to the music business, this was a significant trade occurrence. Vogel then organized Frank Crumit Songs, Inc., with the radio singer, and distributing via F. B. Hayland.)

MDS' program of opening up the development of sheet music trade outlets is still being carried out under the general management of Maurice Richmond, former head with Max Mayer of Richmond-Mayer, which latter now alone controls and who is suing MDS.

## Screen Song Revival

The notable song hits of 1933 were capped by 'The Last Round Up', a cowboy-hillbilly, and 'Who's Afraid of the Big Bad Wolf', a surprise by-product of the exceptionally successful Walt Disney cinecartoon, 'Three Little Pigs'.

This, along with the revived cycle of screen musicals, recreated a lesser edition of the 1929 Hollywood gold rush by music men. It wasn't and doesn't threaten to be as intensive as the 1929 hey-day, but with the revival of screen musicals' popularity the songs from pictures virtually underwrote themselves as commercial entities. A 'Gold Diggers', '42nd Street', 'Footlight Parade', 'Too Much Harmony', 'Sitting Pretty' and even 'I'm No Angel' (Mae West, not strictly a musical) were certain to boom a fair quota of sales with a minimum of effort.

For the songwriter this Hollywoodian Gehenna meant the nearest approach to easy money again considering the minimum of royalty income from normal sources, and for the publisher with a Hollywood 'in' that makes sure of the screens as concerted and concentrated plugging media for his songs. Thus, once again the mad scramble for angles and cut-ins on Hollywood. The battle was renewed between the studio and tunesmiths, the film makers looking upon a song as but a mere incidental contributing towards the ultimate—a good picture. The Tin Pan Alley chieftains—and how they can chizz—always argued that the better the song is spotted the better for the film, not to mention their own sales.

Each publisher introduced his own hand-picked set of songwriters into the picture of making song pictures. When competition is that keen some skulduggery may occur. It did in some quarters with suspicions of undue favoritism for some firm over another.

## Hits of the Year

But despite all the cinematic too, the song outstandings of the year were non-Hollywood in the main. 'In the Valley of the Moon' (Morris) and 'The Last Round Up' (Shapiro-Bernstein), 'Let's Try It Again' (Mills) and 'Last Tango in Paris' (Southern Music Co.) were among the most

signal of the year, and not via the Hollywood route. Joe Morris had two other clickers, 'Little Street Where Old Friends Meet', and 'Good Night Little Girl', more or less current, giving that Class C publisher the unique distinction of having three No. 1 songs of the country within one year.

There were few No. 1 toppers as several held over for more than one month. The Morris trio and 'Shuffle Off to Buffalo' (from '42nd Street') were among these hold-overs. 'Shadow Waltz', also from '42nd Street' (Warner musical-Witmark) while not a No. 1 seller, also rates with the more consistent gold-cuppers on sales. It is still selling.

Among the emphasized overnight clickers, and which eased off almost as rapidly, were 'Lazy Bones', 'Stormy Weather' and 'Big Bad Wolf'. All three skyrocketed and brooded almost as long as although the Arlen-Kohler number, 'Stormy Weather', was termed by many song sharps the best written and most unusual ditty in the last 10 years. But as commercial entities 'Stormy', some 310,000 copies, and 'Lazy Bones', 350,000 copies, were eclipsed by the most homesy and prosy 'Valley of the Moon' and 'Last Round Up', each around 400,000 and 'Round Up' probably going to the now sensational 500,000 mark. 'Big Bad Wolf' only attained over 200,000 copies although when it started big the MDS moved copies of it off in 10,000 copies per day for some days. Jack Mills saw some 8,000 per day orders on 'Stormy Weather'.

The film-music thing was given great impetus by the 400,000 gross turnover on the sundry '42nd Street' songs and by the 425,000 copies sold of the 'Gold Diggers' musical. The Warner Bros. published the first but WB figured it a good idea to bolster its other affiliate, Remick, and turned 'Diggers' into a Remick copyright. Al Dubin and Harry Warren, among the most consistent hit writers in the business for many years, made history anew with both picture and musicals along with other picture songs.

The importance of the writer asserted itself via the film-musical vogue, the publishers using the capabilities of the tunesmiths as the entree wedge for Hollywood. Thus certain famous names, and certain writers, Bobby Crawford, on behalf of his DeSylvia, Brown & Henderson firm, capitalized on the Mack Gordon-Harry Revel vogue with sundry United Artists and Paramount musicals. Irving Berlin, Inc., had Burton Lane and Harold Adamson for west coast entree. Robbins plugged variously via Dorothy Fields and Jimmy McHugh, Gus Kahn and Walter Donaldson, and also had call on Richard Rodgers and Lorenz Hart as a team through its Metro affiliate having signed these writers independently. 'Warners', Berlin tied in with Radio, Shapiro-Bernstein acquired the Mae West songs out of 'I'm No Angel' and there were other sporadic Tin Pan, Alley-Hollywood matings.

Case of Rodgers and Hart. From the writers' viewpoint, the case of Rodgers and Hart is typical. This pair had their own Radio Co., a Harms subsid. They were sponsored for many years, in fact, ever since their 'Garrik Galettes' novelties, by Harms. But when learning they were worth \$104,000 a year as a team writing special song material for flickers, Rodgers and Hart forgot all about the publishing adjunct. Thus they cared little, if any, about who was their merchandising outlet in sheet music as long as their cinematic income, at the rate of \$1,000 a week each per assignment, was assured. Song royalties became dwarfed proportionately.

In line with the Warner idea of shunning 'Gold Diggers' away from the already prosperous Witmarks in order to bolster the Remick catalog for ultimate upping in the ASCAP rating, the same idea was employed by Harms, Inc., on behalf of T. S. Harms & Co. These are different companies. T. S. Harms is owned by Jerome Kern principally, and exclusively publishes that composer's works, thus giving Kern both a writer and publisher proprietary interest in the company's output.

Harms, Inc., decided to build up T. E. Harms & Co. with the same Remick, and also in order to increase the value of its pet composer's (Kern) income from his own company. Incidentally the Harms-Remick-Witmark group is all under

(Continued on page 82)

# A Stage Child's Letter to Santa

Dear Santa:

I am Baby Stinko. That's my stage name and I give imitations. My mama says I am going to be a great actress some day if I am good to my mama and never mind papa.

I cannot tell you how old I am because I am never the same. On the train I am 6, and in the theatre they say, 'Baby is 15, she was always small for her age inspector.'

Anyway, Santa, all I want is Cincinnati and St. Louis and do not ever book me for another Xmas in Brooklyn. And I want a crack at CBS, a test from Paramount and you might as well arrange something with Fox just in case. And I only want one more thing, dear Santa. Please send a micky finn to the Gerry Society.

Kindly do not forget,

Baby Stinko.

# ASCAP May Revise Collection System, Drop 35 Lawyers, Seek Good-Will of License Holders

## DISC ROYALTY UP

Brumswick and American Checks Look Better

Royalty checks distributed by the American Record Co. and Brunswick among music publishers last week were the largest received from either source in about two years. Exceptionally hefty increases were represented by the American Co.'s drafts. Statements covered the sales for the third 1933 quarter.

American Co. specializes in the cheaper labels.

# BERNIE OPENING HARE'S FLORIDA CAFE JAN. 13

Chicago, Dec. 31. Sam Hare opens the Roman Fools cafe in Miami on Jan. 13 with B. N. Bernie band going in for the initial two weeks. Though now dated for a fortnight the Bernie band may stick indefinitely.

# Pubs, Writers Talk Uniform Contract

Negotiations for a uniform writers' contract between the standard publishers and the Songwriters Protective Association will resume next week. Standard men several months ago asked that the matter be deferred until after the holidays had disposed of the task of forming a code.

Uniform contract affecting the popular publishers has been in use by the industry for over a year. SPA attributes the boost in membership from close to 500 to over 600 to the benefits derived by writers from this revised contract.

# DeS. to Publish Other Par Screen Musical

Paramount's 100% control of Famous Music Corp. will not monopolize Par film music for Famous publication. Bobby Crawford's DeSylvia, Brown & Henderson, Inc. firm, for example, which now publishes Par screen musicals, has contracts for other films.

Where the DeSylvia firm has writers such as Harry Revel and Mack Gordon under exclusive contract, DeS., B. & H. will continue publishing their and other Par tunes.

Bobby Crawford, prez of DeSylvia, out of the hospital after a recent serious seach, left last week for Palm Beach to recuperate and sail from there Jan. 2 via the Canal to further confer with Paramount studio officials on other Par pictures.

# Henry Santly Seriously Ill At Mt. Sinai Hospital

Henry Santly, veteran music man, and partner in the Santly Bros. music pub. company, is still very critically ill, confined to Mt. Sinai hospital, New York, suffering from a pernicious ailment that is robbing him of his physical vigor. It's a blood condition and blood transfusion became necessary last week to sustain him physically.

Revision of the American Society of Composers, Authors and Publishers collection system, which is now under discussion by the organizations' directorate, may result in the elimination of the legal element from this assignment. Directly as minds of the performing rights combine believe that the time has come for the legalistic attitude to give way to the diplomatic silk glove. By setting up its own staff of laymen district collectors, more inclined to suavity and selling the Society as an integral part of the industry or business involved, the ASCAP headmen feel that they can overcome much of the existent antagonism from license holders and bolster the organization's exchequer in the long run.

Under the present collection setup the Society has in its direct employ 35 lawyers, each in charge of a district but who farm out segments of their territory to other lawyers. For the California and northwest areas the organization maintains its own two offices, each supervised by non-lawyers. In the farming out process each lawyer along the line gets part of the flat commission allowed by the Society.

ASCAP directors figure that the personal contact of the non-legal collector in charge of a district would have a more persuasive influence upon the licensee holder or prospective than the impersonal, curt, legally phrased letter to which these sources have been accustomed.

# Band Tours in 6 Autos Obligated to Buy Tenn. Licenses for \$91.95

Nashville, Dec. 31. State police at Waverly, Tennessee, arrested six buses-loads of musicians who were touring the state playing wildcat dance engagements. Motorcycle escort took the dance men into Nashville where they were compelled to take out automobile licenses for the state of Tennessee. Set the band back \$91.95.

# HARRY LINK JOINS DONALDSON, DOUGLAS

Harry Link moves into Donaldson, Douglas & Gumble, Inc., as special professional contact similar to the position he held with Kelt-Engel. Link acquires a piece of D-D-G and with Mose Gumble and Walter Douglas will handle the firm's affairs.

Walter Donaldson is not an exclusive writer with the firm bearing his name, being on the payrolls of sundry film companies for whom he is writing film tunes.

Link's first number he is taking into the DDG catalog is 'Junk Man' by Joseph Meyer and Frank Loesser.

# Talent Doesn't Share In New Year's Takings

New Items: Nitterle here charged \$5 a plate and paid out \$30 for entertainers. Solo dancer worked three holiday spots and grossed \$1.50.



## Year In Music

(Continued from page 81)

Warner Bros. control dating back to that 1929 song-pool purchase.

As part of the T. B. Harms scheme Larry Spier was taken out of Famous Music Co. (another unit wherein Paramount and Warner Bros. were co-partners under the Harms aegis) and shifted into the Kern company as the personality head.

On the matter of song personalities Rocco Vocco's resignation from Feist, after 20 years with that firm, was big tin pan alley news. Vocco joined Bobby Crawford as v.p. and general manager and 25% partner in all the DeSylvia, Brown & Henderson, Inc., and affiliated song interests. Crawford had long since bought out the name trio of the firm who were his original partners. The split came when the trio tilted amongst themselves and took up separate collaborations.

Another Feist alumnus, long since out of the company, Phil Kornbliser, after various fluctuations finally hooked up with Ira Schuster as S-K, Inc., indie pub. Schuster is a songwriter who was prof. mgr. of Witmarks with Bob Miller there as radio plug contacts. Schuster was ousted and is currently suing Witmark on an alleged contract. Miller subsequently was ousted and likewise started his own indie song pub biz. Irving Caesar, Inc., with Arthur Behin, Harms alumnus, was also among the new starters.

Most signal rehabilitation of the year was the effect of 'Last Round Up' on Shapiro-Bernstein which had long been his only big hit. Being average with hits also was a matter of trade comment. Vocco's resignation revolved in part around the Feist organization's modus operandi whereby a song committee reviews new material. That sort of editorial board selection is against all the tenets of the music biz which is strictly a personality-and-hunch game, and prides itself on so being.

### Retrenchments

In economic setup retrenchments had to be made but it was concluded that cutting down the operating budget was false economy. For as soon as a firm chieled on its plugging organization that minimized the number of radio plugs. And since the multiplicity of radio plugs—it has been the rule since the norm for rating the activity and standing of the publishing firms, as soon as these ease off the relative standing of the firms proportionately diminishes.

Thus, one publisher whose monthly net was \$9,000 formerly had it approximately in half or to around \$17,500 a month. He figured out that as a class A publisher his quarterly income from the ASCAP would be around \$8-9,000 or say \$85,000 annually. Figuring this as a skeleton operating expense, he was making up the difference in the money, sheet music sales, etc., he was in pretty good operating position. But such trimming didn't work out for the chiseling on manpower soon threatened his standing among the topnotch firms.

The number of personnel plugs as a standard arises from the fact that radio broadcasters' income comprises the bulk of the Society's yield. In the past the picture houses—in the day of presentations and country-wide deluxe cinemas—were equally as important as the hotels and restaurants. It is hoped that now with repeal the hotel and better class restaurant, instead of the outlandish speakeasy, which didn't respect proprietary music rights either, will revive that field for music tax revenue.

Thus, the league publisher must still operate on a net from \$20,000 to \$35,000 a month. In the past, with branch professional offices, etc., a \$10,000 weekly overhead was average, the monthly operating cost running \$40,000 to \$50,000 for the top professional houses. This necessarily had to be trimmed, with a Chicago branch office (nothing as pretentious as in the past) alone, and men in the field otherwise covering New England, the West Coast, South, etcetera.

On the matter of personnel and budget-pruning Irving Berlin, Inc., with three expensive co-partners each drawing \$500 weekly against profits, culminated in Max Winslow deciding to pass up the music business—his life's career—to engage in a new field of him—pictures. Winslow as well as Saul H. Bornstein, also of Berlin's, is on the Columbia Pictures directorate, hence Winslow's studio affiliation was natural. Bornstein and Irving Berlin continue operating Berlin, Inc., personally, the firm recently attain-

ing some top-money sellers in its catalogs plus the Irving Berlin musical shows.

### No Tune Cycle

No particular trends in songs for the 12 months. But again, it was evidenced that those relatively few thousands of people still buying sheet music were shopping only for hits. Not like in the past when they'd kill a buck or two and buy some also-ran tunes. Now, as with shows and pictures, it's strictly the hits.

However, as regards the trends a report in some of the best-selling titles indicates that the public did favor novelties on the order of 'Let's Put Out the Lights and Go to Sleep,' 'Stormy Weather' and 'Lazy Bones,' or simple, earthy 'Echo in the Valley,' 'Valley of the Moon,' 'Little Street Where Old Friends Meet' and 'Last Round Up' school. 'Big Bad Wolf,' while technically of Hollywood origin, falls into the first or novelty class.

Actually the picture ditties were strictly governed by quality as to popularity. Most signal exception to that was some of the long-play single handed made several songs into semi-hits. Crosby unquestionably stands out as a solo song interpreter, his Brunswick record sales attesting to that. But his record sales continued, disappointing, although they improved no little over the previous year.

Along with the novelty and the simple ballad, 'Love Is the Sweetest Thing' (from England) and 'Night and Day' are evidence that the average ballad or the musical comedy song still have sales value. But as a general thing, while a better quality ballad has been issuing off the tunesmiths' pianos, they're mostly a bit too clever for the general good of the music dealer. The professional staffs of the publishers have also concluded that what's good professional material for some radio warbler isn't always good commercial timber.

### Vallee as Defender

The artists, too, seem to be recognizing the value of song material more and more. Perhaps the most ardent champion of Tin Pan Alley anti-radio cause is Rudy Vallee. Not only does he extol the merits of song material and their creators on his radio, but he lends more than passively willing ears to all new material.

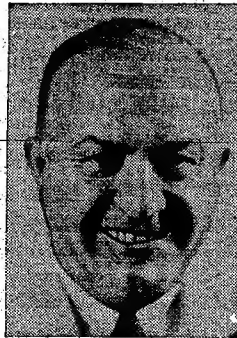
In line with that, Vallee has also taken the cause of the music men into the strongholds of radio and the advertising agencies and has on occasion, the anti-radio cause, stand by exhorting the broadcasters who would begrudge the copyright tariffs to the composers and publishers whose song material makes possible the otherwise very costly commercial radio shows and their creators on the radio. Vallee has also brought up this cause, and pay heavily for talent and time facilities but become potty over music license tolls.

Perhaps the most damage done to the music men's cause may date from the engagement as 'music czar' of E. G. Miller and since Miller reflected himself in the same light with Hays (films), Landis (baseball), et al., he seems to have gone a bit berserk not only in outside relations but intra-ASCAP, of which he is general manager. While an employer of the songwriters, Miller has been sharply criticized by his own membership for his attitude in trying to run matters in arbitrary fashion.

This, perhaps, has been to the advantage of Oswald F. Schette, the national Association of Broadcasters and other Society antagonists.

The forerunner of the film theme song revival dates back to 'As You Desire Me' and 'Farewell to Arms,' both tunes actually non-thematic music, they were merely a case of Al Silver and Allie Wrubel, most notably, cashing in on the publicity value of about-to-be-released film. This didn't hurt a song title, approximating that of the picture, by any means. It was a psychological hook-up and good showman-sharp on the songwriter, although, as happened in such instances, the song of the same name not only had nothing to do with the picture but often was developed in thought and idea remote from the plot of the picture.

'Farewell to Arms' was a notable



FERDE GROFÉ

instance of this, the Hemingway book title referring to a military catatonic while the Tin Pan Alley chose to interpret arms in an amorous sense. It resulted in a couple of complications, incidentally; they started first when Robbins, as Metro's ally, saw to it that Garbo's likeness did not adorn the title page of 'As You Desire Me,' marketed by a rival firm, Keit-Engel. But this didn't deter K-E from merchandising and exploiting 'Desire Me' as an independent publication and making it a best seller, although there was no denying the semi-official and psychological advantage the song had through the publicity value of the Garbo-Metro film.

Paramount, too, has an official song publishing ally and when 'Farewell to Arms' was marketed by a non-affiliated publisher, Par decided that the title of every picture from that lot would be 'written up' synthetically, just for the copy-right value and as a means for protection. This started anew the old game about 'Hammacher, Schlemmer, I Love You' and the host of other 'I love you' ditties that were the rage three or four years ago. (In truth it is said that 'I Cover the Waterfront' was written up as a quasi-gag, although that developed into a hit, but with official United Artists endorsement, however.)

Still another tiff on the picture song thing involved Robbins and E. B. Marks over 'Dinner at Eight' (Metro), with Robbins claiming the 'official' toup but Marks dating back its own song to 'Dinner' when it was a legit play and before filming. Marks also recalled that Robbins had stepped on 'Famous' tunes with a similar squabble over picture song titles involving 'Love Me Tonight' (Chevalier-Par), published by Famous officially. Robbins, however, had a non-film song issued as 'Famous,' being careful to indicate that he did not hook to the film of that name.

### Control Problem

But it was really the '42d Street,' 'Gold Diggers,' 'Dancing Lady,' 'Footlight Parade,' 'Moonlight and Pretzels,' 'Sitting Pretty,' 'Good Holers' and 'Anders' type of liminalistic song that supplied the nation's cinematic song thematics. With the screen once again an important plugging medium, it became the problem once more to keep the plugs down and under control. That meant more restriction via radio, but where the tunes were popular, the requests, if not forthcoming to this or that self-important leader, usually riced where a radio commercial was involved.

The proposed music code which has not yet gotten anywhere, has been officially rejected by Deputy NRA Administrator Sol Rosenblatt, sought to officially cover this problem of controlling plugs—and also expenses for plugs.

The expense theme mostly means 'entertainment.' The publishers are still taking beatings on cover charges and large parties for entertainment at openings, etc. Under the music men's proposed code it was a self-confession that the MPPA's provision, not to go overboard on expenses, was ineffective, or, at least not lived up to. There were other angles to the proposed code on expense such as trade discounts to pupils and teachers on standard music, etc., but that didn't go for the average pop releases.

Another trend of the year that didn't repeat itself was the Campbell-Connelly idea of importing important American songsmiths (as with Harry Woods) to England and having them turn out a batch of 24 compositions or so, vesting the

## Most Played on the Air Last Week

To familiarize the rest of the country with the tunes most sung and played on the air around New York, the following is the compilation for last week. This tabulation will continue regularly. Tabulation is furnished by the National Association of Broadcasters, members of the major networks (WEAF and WJZ of the NBC chain, and WABC, key station of CBS), along with the total of plugs on New York's two most important independent stations—WOR and WMOA. Data obtained from 'Radio Log' compiled by Accurate Reporting Service.

It's	WEAF WJZ WABC	WOR WNCA	Total
'Everything I Have Is Yours'.....	23	12	35
'One Minute to One'.....	15	15	
'Old Spinning Wheel'.....	13	16	
'Alice In Wonderland'.....	15	11	26
'Did You Ever See a Dream Walking'.....	11	14	25
'My Wonderful One'.....	0	24	24
'Sweet Madness'.....		10	21
'Goodnight, Little Girl'.....		11	20
'Don't You Remember'.....		8	
'You've Taken My Heart'.....		18	

## British Music Also Groans

London, Dec. 15.  
Pop music in England is one of the subjects that in Charing Cross Road and its purlieus is not seriously encouraged if it is intended to keep the party bright and cheerful.

After a tough year's slodding everyone is hoping Santa Claus is going to drop something into the stocking that will make it possible to keep going another year. The root of all the trouble, of course, is radio, which has not only devastated sheet music sales but has put the phonograph business in such a spot that the publishers' end of the royalties is only about 20% of what it was before.

Up to a few months ago things were not too bad. A publisher could more or less engineer his plugs in a systematic manner, and by the payment of a fee of from \$5 to \$15 per number (depending upon the standing, or the fancied standing, of the orchestra leader who had the benefit of the mike) he could be reasonably sure of a fixed number of plugs. As the orchestra leader was not getting anything from the BBC there was nothing wicked about it—in fact it was just an open secret and the only person the band boys didn't tell was the inspector of taxes. But somebody else must have said something as he took quite an impertinent interest in the details.

Last July the BBC decided to go all generous and pay the leaders for their services and in the newly found righteousness called upon the pop publishers to never again pay a leader or artist. As the publishers could not at first believe the BBC is really serious in its threat to pay money, they were going for their holidays anyway, they didn't jump to sign on the dotted line. So the BBC engaged the most expensive lawyer they knew and in court everyone agreed the only thing they wanted to do was to end paid plugging. The only difference now is that BBC is so scared there will be any plugging it will not allow a band leader to play a commercial number more than once, and instead of the pub-

lisher paying \$15 for a plug he has on each occasion to furnish a special arrangement costing \$40.

### One Band A Night

In America a publisher may have the choice of several well known leaders who are on the air the same night, but in England there is only one outside band per night to cover the country, and if this leader doesn't like a tune, or even the arrangement, then it's out. And by the time he has included in his hour's broadcast a few hot numbers, a la Ellington, some of the latest film and musical comedy successes, there isn't room for too many ordinary pops.

All this is leading publishers to make a concerted drive on musical films because they then know they will be sure of some representation over the air, and in any case it's an important film it is bound to be heard by a few million visitors to the film palaces.  
A hit in the 25c edition now sells less than half what it formerly did at 50c, so figuring the drop in sales and price, there is a decrease of about 80%. The revenue from per- and phonograph records are off forming and broadcasting fees is about 76% to 80% on former figures only increasing slowly and as the revenue from BBC is based upon the number of licenses sold to the public, and these sales have nearly reached the saturation point, not much increase is looked for from that source.

Most publishers are meeting the situation by cutting overheads to the minimum and in some cases turning their attention to other outlets for their energies. A few are dabbling in theatrical adventures, the latest recruit being Lawrence Wright who has recently purchased Princes theatre. This house hitherto has been dark most months of the year but as Wright has a flair for speculation which usually comes off, the venture is being watched more closely than usual.

## MUSIC NOTES

Embassy Club has extended Gertrude Nieness stay for four weeks.

American rights to the score of Jan Klepura's 'A Song For You' have been acquired by Mills Music, Inc. Tunes are 'Ninn' and 'Signorina.' Universal is releasing the film on this side.

Charles Judels is in m. c. at the Tic Tloc club, Park Central hotel penthouse. Spot unveiled last night (31).

Edward I. Fishman flew with Judge Hyman Buehl to Hollywood last Friday (22) to mix a holiday stay with business.

Velvyn Hayes, newcomer from the coast, goes into the Deauville Yacht Club, Hollywood, Fla., Jan. 5, booked by Jack Berrill.

Ritz-ros. with their own-revue return to the Hotel Floridan, Miami Beach, Feb. 1.

Lee reckenbridge Orchestra, Rita Dawn and Mary E. Cox Revue at the Hotel Trojan, Troy, N. Y.

Myers Stockade at Mid-City Park, Albany N. Y., has been reopened with George White's orchestra and a floor show, including Art Mallon as m.c.



# The Litigation Lingers On

By BEN BODEC

No issue coming under the head of the law of copyright has been productive of so much litigation and personal acrimony on the part of the user—and so many court decisions as the exclusive right of the copyright owner to the public performance of his musical work for profit. In America, decisions favorable to the copyright owner steadily mount, but the litigation continues with every new source of music usage determined upon making a test case of itself.

Today this right of public performance is under attack from radio. The broadcasters seek not only to have the right as a Federal statute revised, but declare the American Society of Composers, Authors and Publishers a monopoly and surversive of the Sherman Anti-Trust Law, the Clayton Act and other similar legislation. Tomorrow the attack, it can logically be anticipated, is apt to come from the latest of public purveyors of music, the taxicab owner. By installing a radio set for the convenience and diversion of his passengers, and advertising it as part of the service the taxicab, holds the ASCAP, has subjected himself to the copyright law and the payment of a music tax.

The right of public performance existed even before the law of copyright. Far back in English history the author of a work became divested of this right when he turned it over for publication. This performance right was reinstated by the Statute of Anne, which held that even if the work were published the author retained full authority over its public performance. With the passing centuries, one European country after another embodied the double protection of publication copyright and public performance into its laws. Since colonists as a rule adopted the laws of their homeland the dual right was included in the statutes of the countries on this side of the Atlantic.

Prior to the organization of the

ASCAP the enforcement of the musical phase of the public performance right was a haphazard affair. Through a concentration of interest have the copyright owners been able to retain legal advice as to their rights, to effect methods of protection against legislative tampering with the Copyright Act of March 4, 1909, which reaffirmed the copyright owner's exclusive right to performance publicly for profit and set forth the penalty for violators, and to maintain a closer and more comprehensive check upon the places or media so performing these works. The first years of ASCAP existence meant little else to the members but litigation. Before the Society's members could capitalize on this right allowed them under the law, the resistance from taxed users of music made it necessary that first an adjudication of the right be obtained from the courts.

## The '17 Decis

Issue finally got to the U. S. Supreme Court through the case of Victor Herbert, Harry Smith and others against the Shanley operating Shanley's restaurant on Broadway, and against the Hilliard Hotel Co., operators of the Vanderbilt Hotel, N. Y. The decision was handed down Jan. 22, 1917, with Justice Oliver Wendell Holmes delivering the opinion of the court.

Said the court: "If the rights under copyright are infringed only by a performance they are very imperfectly protected. Performances not different in kind from those of the defendant could be given that might compete with and even destroy the success of the monopoly the law intends the plaintiff (the copyright owner) to have."

Hence not only did the tribunal reassert the monopolistic rights of the copyright owner to public performance of his work for profit but it held that as long as such performances are not "easementary" the "purpose of employing them for profit." Whether a fee is collected for the music or whether use of the music pays makes no difference,

## Best Sellers

Sheet music business came through the past season with the best showing for a Christmas week in years. Turnover of stock at the Music Dealers Service, Inc., was almost equal in quantity to the highest week in November. Similar business condition prevailed in the indie jobbing firm, Richmond-Mayer Music Co.

Best six sheet sellers for the week ending Dec. 29, as reported by distributors and syndicate stores, were:

"Old Spinning Wheel" (Shapiro).

"Did You Ever See a Dream Walking?" (DeSylva).

"Goodnight Little Girl of My Dreams" (Morris).

"Ann! Doesn't Live Here Anymore" (Berlin).

"Everything I Have Is Yours" (Robbins).

"Day You Came Along" (Famous).

averred the court. All the law was concerned with was the implied intent to profit.

With the issue thus clarified and giving carte blanche to the copyright owner to collect from all sources of amusement, these subjects to the performance law switched their object of legal attack to the ASCAP itself. In language similar to that being used by the broadcasters today, the Society was assailed by picture, house owners, restaurant and dancehall operators as practicing in restraint of trade, using coercive methods, etc. In an injunction action brought along these lines by the 174th Street & St. Nicholas Avenue Amusement Co., Justice Goff of the New York Supreme Court on April 4, 1918, laid down a three point opinion that disposed of the monopoly by combination argument. This court held that the ASCAP is formed for lawful purposes; that it is exercising its lawful rights by bringing legal action for individual members against violators of copyright in protection of the members' income from music, and that there is no restraint of trade through any act of the Association.

Four years later the combination in restraint of trade angle again came up, this time in a Federal court in Pennsylvania. Case was that of T. B. Harms vs. William with Judge Thompson, of the eastern district, holding that a combination of composers, authors and publishers could not be brought within the provisions of the Sherman anti-trust act since a copyright is an 'intangible thing, separate and distinct from the material object copyright', and accordingly 'the right under a copyright to perform musical compositions is not trade or commerce any more than producing plays is trade or commerce, or producing grand opera, or the giving of exhibitions of baseball games'. At no time since has the restraint of trade, or combination in monopoly argument ever gone beyond a lower court.

## First Radi

The first test case on the performance right issue involving broadcasting had L. Bamberger & Son, operators of WOR, Newark, as the defendant. Judge Lynch, of the New Jersey Federal Court, on August 11, 1923, made it a sweeping decision for the copyright owner, giving it as his opinion that the least vestige of advertising connected with a radio station tagged that outlet as operating with a profit motive and thereby bringing it within the purview of the Justice Holmes 'the purpose is profit' definition.

Operators of WLW, Cincinnati, carried their defense of an ASCAP suit for an injunction to the U. S. Circuit Court of Appeals of the Sixth District, Ohio, and the judgment handed down here April 9, 1925, reversed a lower court's ruling in favor of the station. A year later, General Board of WJZ, N. Y., appealed to the New York Federal Court against the Society's attempt to collect from that station a fee for music broadcast as the result of a hotel band pickup. This court affirmed the copyright owner's right to collect no matter where the music originated. Since then there have been no important court decision with regard to music and radio.

To return to the anti-trust angle, once before the American Society been investigated by the Federal Trade Commission and the De-

# Where Will They Go?

By Abel Green

Repeal is rewriting America's nightlife. This goes for America in general and roadway in particular.

Nite clubs and likker are synonymous with the legalization of vintage, a new evolution in nocturnal amusement is coming about. It runs a wide gamut and is yet in formative changes, shifting with the trends—and the themselves seem indeterminate.

This conclusion is by the question, as undecided, whether the with its pseudo-exclusivity, is to survive or whether these bottles have had their hey-day and the big hotels and restaurants are now to come into their own—and out of receivership. At the moment the latter seems to be the case. The hotels have every one of their cafes, rooms and even unsuspected retreats open and doing bullsh.

Of the former now fully equipped with licenses, etc., are taking it on the chin. What's more, their limited capacities necessitate a bit higher tariff, and that doesn't help.

On the other hand, the speakeas, perhaps, employ the best drink mixers extant. No denying that many of the new barkeep help, even at the better hotels, have to consult their likker Baedekers for how-to-do-it—and even then there are squawks. There are also classic injunctions that the daquiris mixed elsewhere are all wrong.

Such is the grip of post-prohibition drinking on the habits of the pre-repeal rounders.

## As to Gui

And cuisine. Save in two or three hotels the food doesn't begin to compare with the speakeas. And they charge as much. Not that the speakeas were giving it away, either—some of the reformed speakeas charge now as before, \$2.50 and \$3 per table d'note dinner and up to \$4 on Saturdays.

The speakeas' income is now naturally greatly readjusted downwards, but no squawks. Legal booze is a bit cheaper, although many contend it is not good—yet—and, of course, the big overhead, that 'protection' thing, is gone. This is what placed such a great burden on the prohibition drinkers; not the normal overhead, nor the rum-running of the high price of booze at the source, but the protection which had to be tacked on to the normal retail overhead, and thus passed on to the ultimate consumer.

With repeal imminent, as far back as a year and a half and two years ago, some of the better speakeas, with full confidence in remaining unmoored, started investing heavily in outfitting their rooms. They became Urbaneque creations in modern, chromium and panelling. And probably became a liability, for a \$70,000 equipped room is not to be trifled with, hence the shakedown vultures probably got a bit more than expected. The now historic incident of moving out that classy onyx bar hung as a Damascus sword over those who might slight the 'protection' boys. But in the main the speakeas' wrecking proclivities were at

a minimum the past year or two save one relatively recent sloughing. In this evolution of the speakeas, from its early crude blind-pig eateries, into the drinking restaurant, etc., a form of stability prevailed—the better spots. The mobsters, if in, were told NRA, FDR and the good ole USA all figure somehow in this patriotic manifestation.

As for the dancehousers there are large name orchestras to be had in the hotels, that no small capacity speakeas can afford. And the prices are righter than ever, so many as that many who have not touched any of the profit stuff have decided to take a drink. That many of these, along with the prohibition drinkers, are still disappointed by the brands on the market isn't doing the likker thing much good. Hence the general uncertainty on what may be the result.

Between New York Health Commissioner Shirley W. Wynne's blast against the apurposeness or inferior qualities of certain brands, and the newspapers' sundry campaign exposing the blending of the best known brands as poor cutting processes, it is hard to see the boys and girls back into the speakeas. The better class speakeas always proffered good stuff.

From the drink thing, of course, the nite clubs had their own evolutions prior to Dec. 5. The Hollywood and Paradise, New York, type of large cabaret-restaurant set the pace when a couple of others tried to emulate and failed. This meant large nude shows, no covert, \$1.50 to \$3 minimum check (which included dinner), and in view of a 1,100 capacity or so meant weekly gross receipts of \$20,000. The show costs mounted to as high as \$5,000 a week, but there was enough margin profit at that rate of income.

Then came the musical hall type of continental supper club, which bids fair to catch on. The Casino de Paree, in the reconstructed New Yorker (nee Gallo) theatre, was the first, closely followed by the Manhattan Music Hall, a similar type of auditorium. Manhattan M. H. is on the site of the Manhattan theatre (formerly the Hammerstein), and as in the Casino de Paree the seats are ripped out and tables substituted on a terrace orchestra and balcony, to insure good visibility. The shows perform on stage instead of the usual dance floor, and the patron mounts the rostrum to dance on the stage, with two bands in stage boxes giving out datsanation.

Revival of the Palais Royal (Dec. 22) was another signal landmark in a general move to 'bring back Broadway'. Whether that will happen is a moot question, although the sophisticates already are tiring of the sundry reminiscences of the Broadway that was—the Broadway of Shanley's, Rector's, Reisenweber's, etc.

The class speakeas steered them all away from Broadway and into the East 50's and Midway retreats. The Midway thing will always be an element in nite life, whether in New York or Hoboken, but whether they'll come out into the open, the main, has yet to be seen.

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